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NINTH BIENNIAL REPORT

OF THE

Bureau of Labor Statistics

OF THE

STATE OF CALIFORNIA,

FOR THE

YEARS 1899-1900.

F. V. MEYERS, : : Commissioner.



SACRAMENTO:

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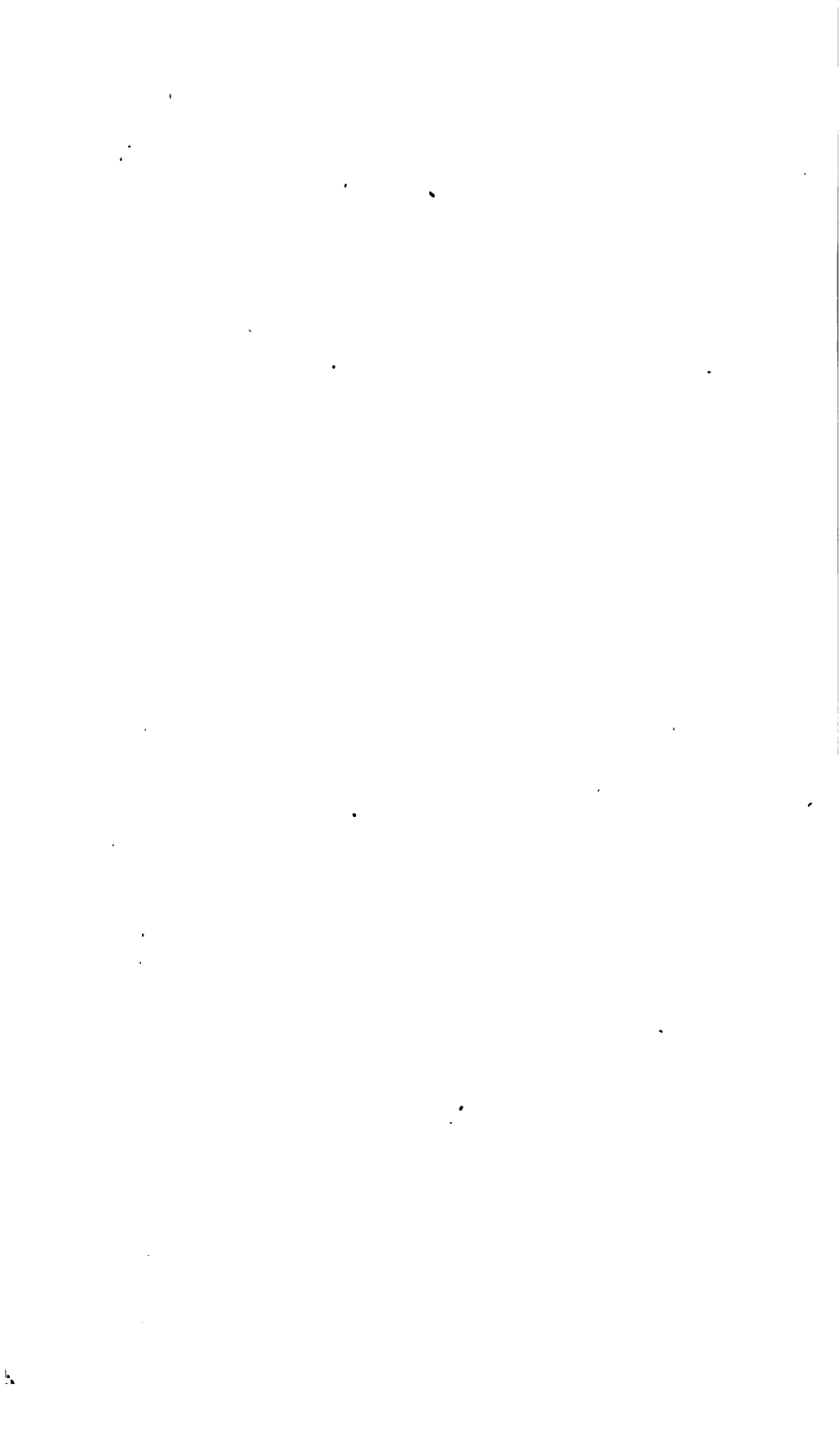
BUREAU OF LABOR STATISTICS,
STATE OF CALIFORNIA.

HON. HENRY T. GAGE, *Governor of California*:

SIR: I have the honor to submit to you herewith the Ninth Biennial Report of this Bureau, covering the years 1899 and 1900.

Very respectfully yours,

F. V. MEYERS,
Commissioner.



INTRODUCTION.

The work of this Bureau, carried to completeness, covers a large and exceedingly varied field, while the authority and means possessed by those connected therewith for accomplishing the said work are but limited. To well gather the industrial statistics of the State, and thereafter to tabulate and present biennially in a report, in an intelligent manner, such statistics, as contemplated by the Act creating the Bureau, require a larger staff of assistants, and a more liberal appropriation, than the Bureau has been provided with thus far.

In addition to the statistical work named, statutes enacted from time to time have added other work to the Bureau, such as inspection of industrial establishments, and the enforcement therein of laws relating to the safety, health, and comfort of employés. And still again, other work has, by legislative mandate or by custom, grown to be part of the work of the Bureau; such, for instance, as the investigation of complaints by working people of wrong or injustice suffered by them at the hands of employers or others, and the righting of the wrong or injustice complained of, when it is found to exist, as far as within the power of the Bureau so to do.

My predecessors, almost without exception, have called attention to the failures which usually follow attempts to collect data by correspondence. Those possessed of the information sought for in such cases, and to whom inquiries are addressed, as a rule neglect to make reply. This neglect arises, in some cases, from simple indifference; in others, from resentment toward what is deemed to be interference with private affairs; and in others, still again (happily in but few cases), from lack of disposition to oblige. Often, too, when replies are made, they are so incomplete as to be of no statistical value.

By law it is made the duty of various State and County officials to, upon due request, furnish all information within their possession, or reasonably within their power, relative to matters with which the work of the Bureau deals; but here, again, the results of correspondence are unsatisfactory. It is true that inquiries addressed to State officials have in most cases brought courteous replies, and information where possible for them to furnish it, and the same has often been the case as regards county officials and officials of cities and towns; and I wish all who have thus replied to feel that I here express to them, individually,

my appreciation of their kind courtesy in so doing; and yet the fact remains that a large percentage of such inquiries received no replies, and of the replies received a large percentage contained but incomplete data or none at all. All this prompts me to join with my said predecessors in the opinion that statistical information of the kind in question can be gathered satisfactorily and accurately only by going, or sending some one, in person to each locality and establishment, and making necessary inquiries direct.

When, on September 7, 1899, I assumed the office of Commissioner of the Bureau, viewed the work to be accomplished, including preparing and publishing this report, and marshaled the ways and means at my command for the accomplishment of the said work, I found myself at even greater disadvantage than had been my predecessors in most cases at the beginning of their terms; because,

(1) While under the law creating the Bureau \$4,500 per annum may be allowed for the hire of assistants, traveling and contingent expenses, etc., the appropriation per annum for the first two fiscal years of my term equaled but \$2,500; the same being less, with but one exception, than had been before allowed in any case to the Bureau during any one year for the purposes named, since its creation.

(2) My predecessors had in no case assumed office later than April in the first year of their term, and thus had not less than one year and a half in which to prepare their first report, with proportionate part of the revenue of the Bureau for use for such purpose. I, on the other hand, did not assume the office until September of the said first year of my term, and hence had but slightly more than one year in which to gather data and prepare this report; and the revenue of the Bureau, expended between April and September of the first year of my term, has been of no use to me whatever in such work, since when I assumed the office I found no data therefor gathered or on file.

(3) My predecessors have, in most cases, been unrestricted in the matter of printing. I found myself with a specific appropriation of \$1,750 for printing for the Bureau, out of which must come the cost of all printing (including the cost of printing this report) ordered for the Bureau during the two current fiscal years. I was early notified by the State Printing Office that the said amount would not permit much expense in the way of forms or circulars for gathering data, and that any report printed would have to be as economically prepared as possible in order to be within the appropriation.

None of this explanation is in a spirit of complaint. Those upon whom rests responsibility for the proper and economical distribution and disbursement of the revenues of the State have deemed it wise, in view of all considerations forced upon them, to limit the means of the Bureau as described, and I have deemed it my proper part to simply do the

most and the best possible with the means at my command, and this explanation is only to show that if large results do not appear, the reason therefor has not been for lack of diligence or of cheerful willingness.

In its original conception this Bureau was created in the belief that it would in a degree be an exponent and protector of the rights and interests of the wage-earners; that it would be a department of the State government in close and intelligent sympathy with their affairs, to which they might turn for advice and information, and for such assistance as could be consistently rendered to them. This being the case, it would seem logically to follow that the administration of the Bureau should be in the hands of such as come from wage-earners themselves, and who are conversant, by reason of personal experience and association, with those subjects with which the work of the Bureau deals. Plain, however, as this proposition seems to be, it has remained for our present Governor, Henry T. Gage, to be first in this State to take official cognizance of it; and while the excellence of his choice for the office of Commissioner may well be considered a debatable matter, his sympathy with the originally conceived idea of the plan and scope of the Bureau is shown by the fact that its entire staff, under his administration, have come to their respective places direct from among the wage-workers of the State.

Speaking in some degree understandingly, I have felt that wage-earners, turning to a report of this Bureau, will feel most interest in those things which come close to their immediate daily life and wants; in those things which tend to show to them their own condition as compared with the condition of wage-earners in other places; in those things which will assist them to judge understandingly of the chances for obtaining employment; in those things which give them information regarding the laws which directly affect their rights and interests as workers, and which suggest remedies (where reasonably possible) for real evils to which they are subjected. With all the foregoing in mind I have worked, with the able and well-appreciated assistance of Deputy Commissioner J. D. Kelsey, and of Special Agents E. L. Reguin, K. Zwicker, and (temporarily) Mr. W. Macarthur, with results as found in part on the pages following.

STATE PRISONS, COUNTY JAILS, REFORMATORY INSTITUTIONS, AND CONVICT LABOR.

The average aggregate number of persons confined at any given time during the past year in the State prisons and reformatories, and the County jails of California is 3,601, segregated as follows:

San Quentin Prison	1,296
Folsom Prison	890
Whittier State School	296
Preston School of Industry	124
Jails of the respective counties	1,006

The competition of the labor of these prisoners thus confined, with the free labor of the State is, and has for some time been, kept at a minimum, being expended in great part on the internal maintenance and conduct of the respective institutions themselves; although a portion of those at San Quentin continue to be employed in the manufacture of jute bags, and a portion of those at Folsom to be employed in the crushing of rock for road-macadamizing purposes.

At San Quentin, during the early part of the year 1900, prisoners were employed as follows:

Labor Report for March 14, 1900.

NON-PRODUCTIVE CLASS.	No. Empl'yd.	PRODUCTIVE CLASS.	No. Empl'yd.
Warden's Office	1	Jute Department	711
Captain of the Yard's Office	8	Engineers' Department	3
Clerk's Office	2	Foundry Department	25
Captain of the Guard's Office	2	Stock Department and Stable	14
Commissary Department	8	Female Department	25
Laundry Department	33	Wheelwright Shop	2
Library Department	5	Upholsterer Shop	2
Barber Shop	11	Locksmith Shop	1
Shoe Shop	17	Carpenter Shop	12
Tailor Shop	22	Plumber Shop	2
Lamp-lighters	2	Cooper Shop	1
Bath-tank Tender	1	Paint Shop	3
Cell and Room Tenders	31	Tin Shop	6
Gate and Door Tender	13	Coal Yard	1
Hospital Nurses	7	Vegetable Gardens	9
Sweepers	8	Flower Gardens	11
Scavengers	35	Belt-makers	1
Whitewashers	3	Improvements	1
Gen'l Kitchen and Dining Room	71	Stevedores	14
Outside Kitchen	19	Road Gang	22
Hospital Kitchen	2	Chicken Ranch	1
House Servants	25	Hog Ranch	3
Electricians	1	Blacksmith Shop	4
Photographers	2	Harness-makers	0
Messengers	2	Ranch Gang	0
Guards Department	5		
Total	336	Total	874

Labor Report for March 14, 1900—Continued.

LOST LABOR.	No. Empl'yd.	RECAPITULATION.	No. Empl'yd.
Cripples and insane.....	32	Productive class.....	874
Doctor, daily excuses, dungeon, etc.....	25	Non-productive class.....	336
Patients in Hospital.....	20	Lost labor.....	86
To be executed.....	6	Total.....	1,296
Unemployed.....	3		
Total.....	86		

Interesting in connection with this may be a statement of the profit derived by the State from the sale of jute bags manufactured as stated above, viz :

Year ending June 30, 1894.....	\$23,408 60
Year ending June 30, 1895.....	6,670 56
Year ending June 30, 1896.....	12,288 45
Year ending June 30, 1897.....	25,991 87
Year ending June 30, 1898.....	12,855 95
Year ending June 30, 1899.....	59,568 73

It is by no means likely that the manufacture of these bags could be carried on successfully with free labor within the State, even if their manufacture at San Quentin were discontinued, since the material of which such bags are made is not produced here, and free labor would have to compete in such work with the cheap labor of the Orient, where such material is produced and such bags are extensively manufactured by the native labor there.

At Folsom Prison, during the early part of 1900, prisoners were employed as follows:

Avocation.	No. Em- ployed.	Avocation.	No. Em- ployed.
Rock-Crusher.....	194	General Laborers in Quarry.....	70
Improvements around Prison.....	164	House Servants.....	13
State Power-House.....	9	Hospital Nurses.....	3
Barber Shops.....	5	Harness Shop.....	1
Blacksmiths.....	29	Laundries.....	27
Chicken Ranch.....	1	Library.....	2
Captain of the Guard's Office.....	14	Lamp Room.....	1
Cell Tenders.....	26	Officers and Guards' Mess.....	10
Commissary.....	8	Prison Mess.....	48
Carpenter and Wagon Shop.....	9	Plumber Shop.....	2
Dairy.....	2	Paint Shop.....	3
Engineers.....	2	Photographer.....	2
Flower Garden.....	24	Ranch.....	12
General Overseer's Office.....	4	Road Gang (R.R. track).....	11
Gate Tenders.....	8	Sawmill.....	5
Bookbinders and Upholsterers.....	2		

In the quarrying and crushing of rock for the road purposes named, we can readily believe that free labor is to some extent displaced, although probably not to any considerable degree, since it is likely that

the increase in the price of such road material would stifle the demand for it, and without such increase in price free labor could not be employed in its manufacture.

In the Whittier State School the inmates are taught industrial trades to some extent, such as baking, blacksmithing, carpentering, electrical engineering, farming, gardening, cooking, laundry work, painting, printing, shoemaking, and tailoring. Nothing is manufactured for outside sale. The work of inmates is employed in assisting to maintain and conduct the internal affairs of the institution.

The Preston School of Industry is conducted upon the same general plan as the Whittier, as regards trades taught, work done, etc.

Of the 1,000 prisoners confined on an average in the county jails, only about 100, according to reports received, are required to do any work outside the jails in which they are confined; and the labor done by those who do work outside is usually on public grounds, or around the jail yards, or on the public streets or county roads. Various reasons are given for not employing these prisoners more extensively. In some cases it was said that the cost of guarding them while at work more than offsets the advantage gained by working them. In other cases it was said that no funds were available with which to employ guards; and in still other cases it was said that any attempt to extensively employ them outside of the jails would be strongly objected to by the free labor in the vicinity; as, for instance, the following plaintive response from the Sheriff of a certain county, viz: "Working prisoners was tried in this county, but so much complaint came from the laboring classes that it was done away with, or rather we never started in. I have always found strong opposition to working them. If I take one out to work about the courthouse grounds, a mob of idle taxpayers soon appear and claim that the work should be given to them."

The cost per capita per diem to the State for the maintenance of prisoners in San Quentin is about 37.9 cents; in Folsom, about 34½ cents; in the Whittier State School, about 91 cents, and in the Preston School of Industry, about 85 cents. The cost per capita per diem for the maintenance of prisoners in the various county jails ranges all the way from 20 to 75 cents. The figures given, of course, do not in any of the cases named include any expense other than the mere cost of the maintenance itself; the cost of the prison plant, and the betterment and maintenance of the same, being an entirely separate matter. Some of the counties report a surprisingly low cost per diem for feeding the prisoners in their jails. One Sheriff reported that such per capita cost is but 25 cents. Further along in his communication he innocently remarked that they seldom have prisoners in their jail, which fact did not appear to me to be phenomenally singular under the circumstances.

It is apparent from all the foregoing that, so far as the prison labor of

California is concerned, the free labor of the State has little to fear in the way of competition; but, unfortunately, it would appear that the same cannot be said as regards the prison labor of other States. From data secured through the medium of various reports, and from personal inquiry where possible, it would seem that this phase of the question of prison labor has not heretofore had the attention which its importance deserves. A large number of the State prisons of the United States manufacture articles of different kinds and send them into this State to be sold in direct competition with the labor of our wage-earners. The labor of the inmates of the State Prison of Oregon, at Salem, is used in the manufacture of stoves, which have been until recently quite extensively sold in the California markets. Some of the labor organizations, and the Manufacturers' Association of San Francisco, made strenuous objection, however, with the result that such stoves are now but little sold here, only a few houses in the interior being said to be handling them.

The inmates of the Washington Penitentiary at Walla Walla manufacture jute goods, and bricks; but these are not shipped into this State to any considerable extent, so far.

The inmates of the Illinois State Prison at Joliet are engaged extensively in manufacturing. Something like thirty different kinds of manufactured articles are produced by them, which include shoes, harness, saddles, hose, collars, hosiery and knit goods, cigars, brooms, rattan and reed ware, cooperage, cane seats, cut stone, iron and brass goods, etc. One of the most extensive of their manufactures consists of chairs, the most of which are said to be sold in this State.

The inmates of the State Prison at Michigan City, Indiana, are employed under the contract system in the manufacture of boots and shoes, chairs, coopers' wares, knit goods, gloves and mittens, and bicycles; and the State of Indiana receives quite a revenue from the contract labor of these inmates.

The inmates of the State Prison at Jeffersonville, Indiana, also work, under contract, in the manufacture of "hollow" ware (tinware), saddle trees, brushes, wire goods, etc. Some two hundred men are thus engaged in the manufacture of tinware alone; and it may here be noted that it is said that ninety per cent of the tinware made in the United States is made by the inmates of the various State prisons.

The inmates of the State Prison at Fort Madison, Iowa, manufacture farming implements and chairs under contract.

The inmates of the State Prison at Frankfort, Kentucky, make chairs, some of which are said to find a market in California.

The inmates of the Branch Prison at Eddyville, Kentucky, make brooms, spokes, and ladies' shoes, which are said to be shipped broadcast over the United States.

The inmates of the prison at Thomaston, Maine, manufacture carriages, harness, and brooms.

The inmates of the State Prison at Baltimore, Maryland, manufacture, under contract, boots, shoes, hollow ware, furniture, and plumbers' marble.

The inmates of the State Prison at Charleston, Massachusetts, are employed in the manufacture of shoes, harness, brushes, trunks, rattan chairs, and shirts.

The inmates of the State Prison at Jackson, Michigan, manufacture, under contract, wagons, agricultural implements, stone work, boots and shoes, and at the prison itself they manufacture brooms, boxes, and shooks.

The inmates of the State Prison at Stillwater, Minnesota, manufacture boots and shoes under contract, and at the prison itself they manufacture binding twine and woodenware.

The inmates of the State Prison at Trenton, New Jersey, manufacture, under contract, hosiery, mats and matting, block brushes, shirts, pants, and shoes.

The inmates of the State Prisons at Sing Sing, Clinton, and Auburn, New York, were, until 1897, engaged in the manufacture of clothing, furniture, chairs, woodenware, harness, saddles, hollow ware, brushes, etc., but since 1897 such manufacturing has been discontinued.

The inmates of the State Prison at Bismarck, North Dakota, make harness.

The inmates of the State Prison at Columbus, Ohio, make bolts, chairs, and cigars, under contract.

The inmates of the State Prison at Alleghany, Pennsylvania, manufacture mats, hosiery, brooms, and shoes.

The inmates of the State Prison at Howard, Rhode Island, make, under contract, boots and shoes, also harness.

The inmates of the State Prison at Nashville, Tennessee, make saddlery and iron ware.

The inmates of the State Prisons at Rusk and Huntsville, Texas, and of the State Farm at Harlem, Texas, manufacture a great deal of iron work. At the Rusk prison there is a blast furnace, iron foundry, pipe foundry, and machine shop. The main output is cast-iron water-pipe. Other articles of manufacture are seamless thimble skeins for wagons, sad irons, and sash weights. Boilers and pig iron are also made. Both prisons have a sawmill, with a capacity of forty to fifty thousand feet per day. A great deal of the lumber here made is used at the Huntsville prison in the manufacture of furniture and wagons.

The inmates of the State Prison at Richmond, Virginia, manufacture shoes and tobacco.

The inmates of the State Prison at Moundsville, West Virginia, are

reported as engaged in manufacturing, but no statistics are given as to articles manufactured.

The inmates of the State Prison at Waupun, Wisconsin, make shoes, and tailors' and knit goods.

The foregoing is as complete a presentation as the data at hand will permit of, of the list of the several State Prisons where manufacturing is carried on, and of the articles thus manufactured for sale. It is most difficult, as matters now are, to say in many cases with positiveness just what goods sold in this State are the product of some of the prison labor named. Those who deal in such goods naturally do not advertise the fact. Reason, however, most clearly maintains that such manufactures are not regularly carried on, as appears, without the articles thus made being as regularly disposed of in the markets somewhere, and there is no consistent reason for believing other than that a large quantity of them find their way into the markets of our State through the regular channels of trade, to the detriment of our manufacturing interests and of our free labor. It is true that in a few cases the laws of the State where such goods are made, as described, require them to be stamped or marked in such a way as to indicate that they are prison-made; but these cases are not many, and, on the other hand, it is usually the case that the prison labor is simply hired by some contractor, who furnishes the raw materials and pays for the labor required to do the manufacturing, and these contractors can, of course, dispose of the goods in the general markets the same as any other manufacturer; thus coming in direct competition with the free labor of other States.

Under the present status of our laws there seems to be nothing to prevent the sale in California of the goods and wares described. Some of the States prescribe by legislation for the labeling or marking of all such prison-made goods when exposed for sale in the markets, in such a way as to reveal that they are prison-made, and such legislation, duly enforced, doubtless would do much toward lessening the evil. A seemingly more far-reaching and effective remedy would quite likely be the final passage of the bill introduced into the lower house of Congress at its last session by the Hon. Julius Kahn, Congressman from the Fourth Congressional District of this State, which bill passed the said lower house, and which provides, in substance, that goods, wares, and articles of any description, manufactured by prison labor in any State, shall be permitted to be sold only within the State in which they are made. It is to be hoped that this measure will become a law.

As repeated in other places: Any agency which tends to lower the wage of the wage-earner to an amount less than it might otherwise be maintained at, without in its effect stifling enterprise in the industry in which it is employed, menaces the ultimate welfare of all the people.

ORPHAN ASYLUMS, AND INSTITUTIONS FOR THE DEAF AND BLIND.

In California there are some thirty-nine orphan asylums which receive State aid, more or less. The inmates of these asylums number, in the aggregate, on an average, about 5,480; of which about 2,769 are males, and about 2,611 are females. Their ages range all the way from a few days to sixteen or seventeen years; there being, however, but 8 males and 106 females who are above the age of sixteen.

The aid given by the State to these institutions varies somewhat, it reaching all the way from 20 to 40 cents per inmate per diem; usually, however, averaging close to 27 cents.

In some of the asylums the children are, when old enough, taught housework, nursing, sewing, cooking, garden work, and, in a few instances, trades, such as shoemaking, millinery, dressmaking, printing, tailoring, and engineering. In no case is the product of their labor sold on the market, it being consumed in conducting the respective establishments.

There is at Berkeley in Alameda County, this State, an Institution for the Education of the Deaf and the Blind maintained by the State; the inmates of which aggregate, on an average, about 212, of which 51 are males over sixteen years of age, 75 are males under sixteen, 36 are females over sixteen, and 50 are females under sixteen. Comparatively few are retained as inmates who are above the age of eighteen years. These inmates are taught, as a rule, to do domestic work and some gardening, and also in some cases trades, such as wood-working, printing, dressmaking, etc. Nothing, however, is sold in the market, all articles produced being consumed in the establishment itself. The cost to the State for the maintenance of these inmates averages about 75 cents per capita per diem.

There is at Oakland, California, an Adult Blind Asylum; the inmates of which number about 92. Of these inmates 73 are males, and 19 are females. The cost to the State for their maintenance averages about 50 cents per capita per diem. There is at this institution a broom factory, which, however, is not being operated at the present time. The labor employed in the same when it is operated is that of the inmates. These inmates are also employed to some extent in reseating cane-bottom chairs. The articles named as being made and repaired by them are

sold on the markets, and the revenue derived therefrom is divided among those inmates who perform the labor.

From the foregoing it will be seen that from the inmates of the institutions named the labor of the State has scarcely any competition.

ALIEN LABOR IN THE STATE OF CALIFORNIA.

Prior reports of this Bureau have noted that, owing in great measure to the "Exclusion" laws, the question of Chinese labor in California had lost much of its importance, and the same continues to be true. Neither general report, nor yet specific investigation, as made where possible, reveals increase in the percentage of such labor employed in any avocation, while on the other hand material decrease in such percentage is often shown. And again, it should perhaps be noted that the tendency during the past number of years has been toward increase in the wage demanded by that class of labor. Relieved, by the operation of the Exclusion Acts, in great measure from the pressing competition of his fellow-countrymen, the Chinese worker was not slow to take advantage of circumstances and demand in exchange for his labor a higher price, and, as time went on, even becoming Americanized to the extent of enforcing such demands in some cases through the medium of labor organization; and hence, as said, the question of his competition with the other labor of the State lost much of its importance. This is not by any means to be construed as saying that Chinese labor has been eliminated from the industrial avocations of the State, but only that its percentage is less than formerly, and that therefore it has ceased to be prominent.

During the past few years, however, the increase of the immigration of Japanese labor into the State has given great concern to the public at large; and this concern gave place to positive alarm during the year 1899 and the early part of the present year, 1900, caused by the very pronounced increase of such immigration within the last said time. Believing the subject to be of great interest to the people of the whole State, I have endeavored, as far as ways and means have permitted, to gather reliable information regarding it, and the result of such endeavor will be found herein. It is proper to say in this connection that I have tried to present simple facts; believing that in all such matters the

people are best served when, in a report such as this, things are described to them as they actually exist where that is possible; or where conclusions must be drawn from evidence, that they be simply such as the evidence reasonably justifies.

The United States census of 1890 reported 1,224 as the number of the Japanese population of California. Through the kindness of United States Immigration Commissioner North the following figures have been furnished to the Bureau relative to the number of Japanese coming into the State since that time; that is to say:

	Males.	Females.	Total.
From July 1, 1890, to July 1, 1891.....	984	118	1,102
“ “ “ 1891, “ “ “ 1892.....	1,382	36	1,418
“ “ “ 1892, “ “ “ 1893.....	896	65	961
“ “ “ 1893, “ “ “ 1894.....	786	59	845
“ “ “ 1894, “ “ “ 1895.....	484	23	507
“ “ “ 1895, “ “ “ 1896.....	523	38	561
“ “ “ 1896, “ “ “ 1897.....	725	47	772
“ “ “ 1897, “ “ “ 1898.....	768	58	826
“ “ “ 1898, “ “ “ 1899.....	1,547	120	1,667
“ “ “ 1899, “ “ “ 1900.....	2,657	107	2,764
	10,752	671	11,423

In addition to the foregoing figures, data obtained through the same courteous source reveal that, during the year 1898 there came into the State “by card” from Victoria, 348; during the year 1899, 274; and during 1900, up to September 1st, 1,000 Japanese; or a total of 1,622, which, added to the 11,423 and to the 1,224 before noted, gives a total of 14,296 in the State. This, however, includes no estimate of the number who may have come into the State from Victoria prior to April, 1900, as before said time no record of such arrivals was obtainable; nor does it include an estimate of the number who, during the time named, may have come into the State overland from British Columbia. No doubt a number have thus come, although in my opinion the most of those who come into the United States in that way do not reach California, being scattered through Oregon, Washington, Idaho, and the States of the Northwest generally, not coming as far south as our State. Again, the total given makes no allowance for native-born Japanese; and while this feature of their presence has scarcely yet been noticeable, the fact remains that as a race they are much more domesticated here than are the Chinese, many having families, and that in time the native-born among them will be a material addition to their numbers. On the other hand, however, no allowance is made in the said total for death and departure during the last ten years; things which must to some extent at least have occurred; and so, carefully estimating, I feel that to place the total number of Japanese in the State at this time at from 15,000 to 16,000 is conservative from any standpoint.

The figures foregoing show a sudden and large increase in the number of arrivals beginning in 1898. Following is shown the monthly number of arrivals beginning with January, 1899, and ending with August, 1900:

In 1899.

Month.	Males.	Females.	Total.
January	59	3	62
February	87	7	94
March	194	21	215
April	315	9	324
May	199	3	202
June	181	15	196
July	145	21	166
August	214	16	230
September	83	5	88
October	100	4	104
November	41	4	45
December	79	1	80
	1,697	109	1,806

In 1900.

Month.	Males.	Females.	By Card from Victoria.	Total.
January	61	1	-----	62
February	151	2	-----	153
March	554	4	-----	558
April	686	13	125	824
May	423	14	300	737
June	120	22	184	326
July	61	10	169	240
August	95	11	113	219
	2,151	77	891	3,119

While these latter figures would seem to justify the alarm felt, as stated, during 1899 and the early part of the present year, they show a material falling off in the number of Japanese arrivals during the last several months.

In a study of this subject, an important question should have consideration, viz: What percentage of the entire alien immigration into the State, during the period named, does this Japanese immigration amount to? If it be shown that it constitutes the major portion of such immigration, that Japanese immigration has increased materially while other immigration has remained normal or has become less, the seriousness of the situation is enhanced. On the other hand, if it be shown that all alien immigration into the State was normal during the time named, there is ground for the belief that the increase in Japanese immigration was but temporary, and induced by some transient cause, such, for instance, as the generally advertised belief during the past year or two that trade and business were prosperous generally in this State, and that employment and good wages were easy to obtain. I merely direct

attention to this question. Unfortunately, I have not at hand data from which to answer it as regards the two years last past; but that, as a rule, in the past, European alien immigration into the State has been far in excess of Asiatic immigration is shown by the report of the United States Commissioner-General of Immigration for the year ending June 30, 1897, wherein is stated that during the said year the total number of European alien steerage passengers landed in the United States and Canadian ports whose destination was California was 3,392, while the number of such Asiatic aliens thus landed and destined was but 1,194, of which 10 were Chinese and the rest Japanese. Of the European aliens named, Ireland furnished 296, England 329, Germany 290, France 228, Switzerland 212, Portugal 223, Sweden 132, Italy 1,215, and various countries the remainder.

I made considerable effort to ascertain the reason for the abnormal increase in the number of Japanese arrivals during the early part of 1900, with result that three reasons that seemed in some degree plausible were advanced, viz:

(1) The generally advertised prosperous condition of the country, and reported demand for labor, which naturally stimulates immigration.

(2) That emigration-recruiting agencies in Japan had booked a large number of Japanese emigrants for Honolulu; that about the time they were aboard ship the bubonic plague, with its resulting quarantine, etc., appeared at that place and stopped the sending of the emigrants there; and that the agencies named, rather than surrender their commissions, induced the emigrants, in most cases, to change their destination from Honolulu to San Francisco; and in this connection it will be noted that the time of the coming of the largest number of Japanese per month was coincident with the time of the prevalence of the said plague in Honolulu, as said, or shortly thereafter.

(3) That, taking advantage of supposed favorable conditions, emigration agencies in Japan were extremely active in fostering the exodus of Japanese to California and other American ports, for the sake of accruing commissions.

Now, as to the cause of the sudden decrease in the said arrivals, which became apparent about May and June, 1900. It seems authoritatively to be stated that it has been in large part due to the action of the Japanese Government in restricting the departure of its subjects for American points.

The impression is very prevalent that the major portion of the Japanese latterly coming to the State, come here as "contract" labor; and yet, however this in fact may be, I am forced to say that, after most careful inquiry, it has been impossible to find tangible evidence to support the impression, although some evidence appears in support of the proposition that many come under the term "assisted" immi-

grants. A "contract" laborer, as contemplated by the laws of the United States, is one who by the terms of his contract is bound to the service of some particular person, and is subservient to the orders or to the will of that person for a definite or indefinite time, as the case may be, after his arrival in this country, in all matters relating to his service and the terms thereof. The "assisted" immigrant of whom I speak is one who has made himself responsible to some other person for a debt (possibly for the money which brought him here), and which he obligates himself, with third parties as sureties, to pay; while he remains free to come and go at will, so far as his service and employment may be concerned. One of these contracts, a copy of which I have seen, is between a company in Japan and a prospective emigrant for San Francisco, and in addition to its reference to money or assistance furnished, obligates the company to assist the return of the emigrant to Japan in case he becomes sick or destitute in America; the contract to run for three years, and the sureties being responsible for all advances made to, and expenses incurred in favor of, the emigrant by the company.

Of interest in connection with this subject generally is the following testimony, given under oath by an educated Japanese who conducts an employment agency in San Francisco:

JAPANESE LABOR.

APRIL 12, 1900.

Mr. ———, being first duly sworn, testifies under oath as follows:

MR. MEYERS: Q. What is your name? A. ———.

Q. You are from the ——— employment agency at ——— Street? A. Yes, sir.

Q. Are you a partner in that employment agency? A. Yes, sir.

Q. How many other partners are there? A. Three, altogether.

Q. What interest have you? How much of the money belongs to you? A. I think one third.

Q. Suppose you took in \$100, how much would you get? A. One third.

Q. How long has that employment agency been in existence? A. Three years.

Q. How long have you been a partner in it? A. About two years.

Q. How long have you been in California? A. About ten years.

Q. Did you come direct from Japan? A. Yes, sir.

Q. From what part of Japan? A. Tokio.

Q. Have you relatives there? A. Yes, sir.

Q. What relatives? A. Parents, sisters, brothers, etc.

Q. How old were you when you came here? A. About twenty.

Q. What was your object in coming here first? A. To study English and to see the customs and manners of this country, thinking I would then go back home and teach them. I think I will go back in a few years. My intention in coming was to learn things so as to improve my countrymen at home.

Q. Are your parents wealthy? A. They are in comfortable circumstances.

Q. What occupations do they follow? A. Merchants, artists, etc.

Q. Had you learned any trade or occupation in Japan before you came here? A. Yes, sir; after I got through the Japan grammar school I was taken by my uncle to help him in business, in a drygoods store, as a clerk and salesman.

Q. What wages did you receive? A. Not any wages, as he was my uncle. Every salesman was not paid at that time; a merchant always took one from his own family into the store.

Q. Did no salesman get salary? A. No; they were taken care of, etc.

Q. Suppose you went into anybody else's store, would you have got any salary?
A. No, not then even, but was considered as a sort of servant. They are expected to stay three, five, or ten years, and then would get something. Some wealthy merchants would let a faithful clerk open a store for himself at their expense.

Q. After a man has learned the run of a store, what wages would he ordinarily get?
A. I cannot tell.

Q. You cannot convince us that if your father had a store and your uncle had a store that you do not know? A. My father had five sons.

Q. Did you not work in your father's store? A. We go to other people's stores.

Q. You say that your father had five sons? A. No, they were all hired.

Q. What did he give them? A. He would give them clothes, take care of them, and give them what little spending money is necessary, until they were through with the years they promised to stay.

Q. How much do they get when they are through? A. Generally about 200 yens, between 200 and 400 yens, for about four or five years' service.

Q. Suppose he did not get anything? A. When he does wrong he gets nothing.

Q. Suppose you went to work in Japan for a relative and worked for him for five years for board, clothing, and lodging; if you kept on working for him after that, would he not pay you a certain amount of wages in addition to board? A. Some work in one place a whole lifetime, and after the years they promise to stay are up they then get about \$1.50.

Q. Would they get that besides board, clothing, etc.? A. They may furnish a small house for him besides, and he may get a percentage of the sales.

Q. What does a carpenter get in Japan? A. About ten years ago 25 cents; skilled men about 75 cents. Since then wages have about doubled in Japan. Everything has gone up; a suit of clothes that cost \$25 here you could have bought in Japan for \$8 ten years ago, but such a suit now costs \$15.

Q. What does a machinist get there, a blacksmith for instance? A. Same as carpenters.

Q. What does the farm laborer get? A. Do not pay day's wages; work in the same way as for merchants.

Q. Don't they get any wages on the farm? A. They get about 50 cents a day.

Q. What did they get about ten years ago? A. About 35 cents.

Q. For common farm labor? A. Yes; some are willing to work for 15 cents a day. They have only come under civilization the last thirty years.

Q. Does not a farm laborer in Japan work for 10 or 15 cents a day? A. Not now; may be ten years ago. Many of the laborers have emigrated to Formosa and Honolulu.

Q. Had you any relatives here before you came here? A. None.

Q. Any friends? A. Yes, sir.

Q. Did they write back and say it was a good place to come to? A. No.

Q. On whose information did you make up your mind to come here? A. Went to school there, read the papers, etc.

Q. Did your friends here ever write back to you? A. Yes, sir.

Q. Did your friends write that this is a good place to come to? A. Yes; saw several friends there who had been here.

Q. Who told you that it was a good country to come to? A. Yes; said there was plenty of money; very good place to learn English and everything.

Q. On that information you concluded to come here? A. Yes, sir.

Q. Who furnished you the money to come? A. My relatives.

Q. About how much did they give you? A. About \$300; afterward sent money twice a year.

Q. About how many Japanese are there in California? A. I can only make a supposition; it is better to ask the Consul; three or four years ago there were about five thousand.

Q. Then there would be about ten thousand now? A. It may be more; the Consul would know.

Q. Does your Government require all Japanese coming to this country to go back?

Don't your papers require you to go back in three or four years, or get leave to stay longer? A. Yes, sir. Any that come here want to get back as quick as possible.

Q. Do the Japanese here now intend to stay here all their lives? A. Most of them do; some of them intend to go back, most like to stay, but at present they have no such privilege.

Q. You furnish Japanese help here? What particular kinds of avocations do you furnish help to? A. Mostly to domestic service.

Q. Are there any Japanese shoemakers in California? A. Yes; quite a number.

Q. What wages does a Japanese shoemaker get in Japan? A. I do not know.

Q. You ought to have some idea as to what a Japanese shoemaker would get in wages after all your studying in Japan and here? A. I think about 75 cents to \$1.

Q. Why should a shoemaker get more than a carpenter? A. Shoes are scarce there; only the higher classes wear shoes in Japan.

Q. What does a Japanese shoemaker get here per day? A. An experienced shoemaker gets about \$1 per day.

Q. Are wages higher in Japan than here? A. No; lower.

Q. Are there many shoemakers here? A. Yes, sir.

Q. Where are their places of business? A. Valencia Street, in the neighborhood of Sixteenth; Webster Street, near McAllister, and Mission Street, near Eighth. There are about twenty Japanese houses here making shoes.

Q. Are there many Japanese here making clothes? A. Not many.

Q. Are there many Japanese carpenters here? A. No.

Q. Any Japanese watchmakers? A. About half a dozen.

Q. Where are they? A. Dupont, near Pine Street.

Q. What other avocations do Japanese work in? Any tailors? A. Yes, sir.

Q. Do you go to a Japanese store to buy your clothes? A. No, to a white store.

Q. Where is there such a tailor? A. On Geary Street or O'Farrell Street, near Union Square. There are two or three in that neighborhood, patronized mostly by white people.

Q. Any hat-makers? A. No.

Q. Do you furnish laborers for farms? A. Sometimes, if they need them, when we get letters from farmers.

Q. Who sends you letters? A. We have not had many up to now.

Q. Do you ever furnish men for orchards? A. Yes, sir.

Q. For sugar-beet raising? A. Not yet.

Q. Do you furnish labor to pick hops? A. Not yet; may this year?

Q. Why do you think this year? A. Because we are increasing our business.

Q. Did you ever hear of the Spreckels Sugar Refinery? A. I think so.

Q. Of the beet fields at Watsonville? A. Yes, sir.

Q. Who furnished Japanese for them? A. There is some one in the country who does that.

Q. Where do those bosses live? A. I don't know; at Fresno and other places.

Q. You say that most of the Japanese farm laborers are "green"? Why do you say "green"? A. Those that are not long from Japan.

Q. Then when they know more they leave? A. Yes, sir.

Q. Now, suppose you cannot get enough "green" hands? A. They get what they want; they cannot get a large number in the employment agencies at all.

Q. Where do they get them? A. They advertise in the Japanese papers.

Q. Where is this paper published? A. On Powell Street, near Sacramento; it is called the "New World"; there is also one published on Eighth Street, called the "North American News".

Q. Don't they ever put ads in the paper in Japan? A. No.

Q. Why not? A. You mean for collecting boys?

Q. Yes, like this summer, when there is to be so much to pick; hops, fruit, etc.? A. I don't think so.

Q. But don't the bosses, who want to fill these places and who advertise in the papers here, advertise in the papers in Japan? A. No, because it is very hard to get here; the Government watches those who come.

Q. It doesn't look like it? A. Most of them come to study; to get an education.

Q. But there were two hundred or more landed here from the "Belgian King"? A. I have heard that there was an unusual number.

Q. Why is it? A. The reason is that a great many laborers have been going to Honolulu, and an order has been issued that no more laborers can go there until the sickness at that place dies out. Some Japanese emigration societies promised to send the laborers to Honolulu, and when they could not be sent there they were sent here instead. The emigration societies get a commission from each boy, and do not like to pay it back.

Q. How much commission? A. \$5.

Q. Who pays the commission? A. The boy.

Q. Did you pay any commission? A. No; I was not a laborer; I came by myself.

Q. For what is that commission of \$5 paid? A. They take the boys to the ships, get papers for them, take their things to the ships, etc.

Q. Does any one in Honolulu send for the boys? A. The branch might have some communication with them.

Q. Do these boys just stand around there and wait until some one sends them here?

A. No contract or anything like that is in existence; they like to come here.

Q. You say that these laborers that work in the sugar-beet business are usually furnished by bosses living in the country? A. They are men just working around; some come here in the winter and work at anything.

Q. How do you explain this fact? These laborers come here and say they are going to Watsonville; how did they know in Japan anything about Watsonville? A. I do not think that these laborers know where they are going. They have relatives here and some that go back tell about the country, and it makes them want to come. The population is increasing so rapidly in Japan that they begin to go elsewhere.

Q. You furnish principally house servants? A. Yes, sir.

Q. Did you ever furnish any one to work in mines? A. Yes, about eighty boys to Alaska.

Q. For what? A. Canning business.

Q. What were they to get? A. All expenses paid and \$100.

Q. Their board and lodging? A. I think so.

Q. Did a boss go in charge of the eighty boys? A. One Japanese boss.

Q. What did he do? A. Supervised their work.

Q. Did they have to do whatever he said? A. Not necessarily.

Q. Suppose after working a month one concluded to leave, could he do so? A. I don't know.

Q. Who was the money paid to? A. To the boss.

Q. Did they pay him any commission? A. I don't think so; he had his own salary.

Q. What wages do the "green" Japanese get that go out into the country to work? A. I don't know, except for picking grapes.

Q. What do they get for picking grapes? A. From 75 cents to \$1 per day; in piece work they make from \$3 to \$4 per day.

Q. You furnish any Chinese help? A. Yes, but not much.

Q. Do you furnish many Japanese cooks? A. Yes, sir.

Q. Are there many Japanese doing housework here? A. Very few.

Q. Any going out house-cleaning? A. Not many.

Q. Are there many Japanese employed as house servants here? A. Most of the Japanese that are in the city work as house servants.

Q. Of the house servants in San Francisco what percentage are Japanese? A. A small percentage; one out of every hundred.

Q. How many Japanese were employed as house servants five years ago? A. There are many more now.

Q. What has become of the Chinese house servants? A. There are more than there used to be.

Q. What wages does a Japanese house servant get here for chamber work? A. \$15 to \$25.

Q. For cooking? A. \$15 to \$40, including business places.

Q. Are there not a great many Japanese boys here who go to school and work in private families for their clothes and a few dollars per month? A. Yes, a great many;

about one fourth of all the Japanese here are school boys; one fourth of those who stay in the city.

Q. Do you ever write back to your folks in Japan? A. Yes, sir.

Q. What do you tell them of this country? A. Tell them of the bright side.

Q. Do you ever write to your brothers that this is a good place to come to? A. No; they have their own business there.

Q. Do the Japanese here encourage those in Japan to come here? A. I don't know. I don't think so; may be in some cases.

Q. Can Japanese do better here as a rule? Is there more money in business? A. Yes; in some lines. Laborers get more here and can save more. They can live cheaper here than in Japan, because there they help others and have social obligations.

Q. Do you know the Japanese boarding-house man at the wharf? A. Yes; he is disliked by the Japanese.

Q. Why? A. Because he would take too much money from them.

Q. Are there any hotels or boarding-houses in Japan? A. Yes, sir.

Q. What would a man going into a boarding-house in Japan have to pay? A. According to their mode of living.

Q. Now take this place on Brannan Street. How much would he have to pay in a place like that in Japan? A. \$5 or \$6. Everything is higher now. I paid \$5 for board per month when I was going to school; a student who pays \$10 per month is pretty well off.

Q. How much would he have to pay in this place at the wharf? A. About \$10 per month, or \$15 for the best room. It is not a very good boarding-house.

Q. Are there any good boarding-houses here? A. No.

Q. How much is paid for a night? A. 10 to 15 cents a night for a cheap bed.

Q. You think there are more Japanese house servants now than formerly? A. I think there are about twice as many.

Q. You think that the plague in Honolulu made more Japanese come here? A. Yes, I think that is the reason.

Q. For how long was your passport issued? A. I would have to ask the Consul to renew it.

Q. Does not your Government command you to come back or have your passport renewed? A. They sometimes stay without getting new passports. In my passports there is no time stated; came as a student. They are more strict with laborers; when they go back they are punished.

So far as evidence was obtainable, the process of securing Japanese labor for any purpose does not differ materially from that employed in securing desired labor of other kinds. The person seeking it, when unable to secure it by personal negotiation, simply gives an order to some person or agency who makes a business of supplying such labor, no doubt in consideration of a commission; although it is the rule for some Japanese to appear as boss or head-man, whose capacity seems often to be that of business manager for the laborers employed, he conducting negotiations regarding amounts due, number of men needed, etc., and receiving and distributing the wages earned. It appeared at times, too, that this "boss" was simply a contractor, as it were, or several were associated together as contractors, and they in turn employed and directed the rank and file of the laborers; it, however, so far as learned, appearing that when the particular work was done the laborers would disband and scatter, and their next work probably be under an entirely different boss, under different terms, and in some other place, all of which seemed to negative the suspicion that they were bound by con-

tract or otherwise to any one person as to their services. Interesting in this connection is the testimony of a gentlemen, as next appears, given under oath to the Bureau:

HOP-RAISING INDUSTRY.

MARCH 28, 1900.

—, being duly sworn, testifies under oath as follows:

MR. MEYERS: Q. What is your name? A. —.

Q. Where do you reside? A. —.

Q. What is your occupation? A. Clerk; office work; also miner.

Q. You state having some knowledge of the employment of Japanese labor in this State? A. Yes, sir; in the hop fields and afterward under the management of the same people as the — Sugar Company.

Q. Then — are engaged in raising hops and also sugar-beets? A. Yes, sir.

Q. Give us some little idea of the process of raising sugar-beets and getting them to the sugar factory. A. We have just started in on the beet proposition. I went to the — hop fields on the —, and was made foreman of a Japanese gang of from 30 to 60 men; there were also Chinese working there.

Q. The first thing you saw of beet-raising was to plant them? A. Yes, sir.

Q. Who did the work of clearing? A. The Japanese. It took a gang of from 40 to 60 two or three months to clear 30 to 40 acres; there were also 30 Chinese and 2 white men working.

Q. That is as far as they got? A. Yes; just clearing this land.

Q. Are there any other fields? A. Yes, Portuguese fields, where the work is done by the owners or hired Portuguese.

Q. Give us some idea of the hop fields? A. There were 250 to 300 acres planted to hops. They start in January or February to take away the dirt from the hills and cut off all the useless limbs; this they call suckering. In the first place they have big poles 16 to 20 feet high that are planted into the ground at regular intervals apart; across the tops of these poles they extend a network of wire, and above each plant a thick string is tied to the wire above and to the lower end of the string is tied three other strings that reach down to the plant. The dirt is taken away from around the plant and the old limbs cut away and then the dirt is replaced. Then when they go over it again they tie the new shoots to the strings and train them to grow up.

Q. How many days' work would it take to fix one acre? A. I did not see them do that. I think it took 25 or 30 Japanese 30 or 40 days to fix 250 acres.

Q. Did you learn if they ever had employed any other labor than that? A. Several years ago they employed white labor; boys and girls.

Q. Why did they give up the white labor? A. I suppose they got cheaper labor.

Q. Do you know that that is the cause for changing? A. I do not know.

Q. Did they have any difficulty in getting the white labor? A. I do not know.

Q. They start in January or February and have about a month's work fixing the plants? A. Yes; taking the dirt away from the roots, cutting away the useless limbs, and then putting the dirt back again. Then when the young shoots start out again the Japanese tie them to the strings.

Q. Don't they in certain seasons take down the poles? A. No, not the poles.

Q. First is the stringing, then the suckering about the same time? A. No; it takes a good deal longer to sucker them.

Q. What then? A. They then come back and tie the little new vines to the strings; then in May they scrape down the lower leaves; they keep training the vines up and trimming off the extra arms in order that the higher branches may have more strength; then they hoe and dig around the roots. They have white men handle the machinery and drive the horses. The Japanese contracted for \$15.50 per acre to do all the work up to picking time, the latter part of August. The Chinese threw up the contract a year ago, as the soil was hard to work, and Japs were taken instead.

Q. Did you ever find out why they threw up the white labor? A. Never heard why.

Q. Could white labor do that work for \$15.50 per acre. A. No, indeed.

Q. Were these Japanese working by contract? A. Yes; some twenty had the contract and hired the others.

Q. Who was the head man of the Japanese side of the contract. A. ———.

Q. What was your part over the Japanese? A. ——— was the head; ———, superintendent; ——— was foreman, and I was over the Japanese.

Q. You told them what to do? A. Yes; I told them what was to be done. When they were not doing right I would complain to ———, and he would complain to the boss Japanese.

Q. If they were not suckering right you would tell them? A. Yes.

Q. Suppose one got refractory, what would you do? A. Would have him discharged.

Q. Did you ever discharge any? A. No; I threatened them once or twice.

Q. Where was this boss Japanese? A. He was there and fed them.

Q. What wages did they get? A. I do not know what each man got that was hired by the boss. The work was done for \$15.50 per acre. ——— was the boss, and he with twenty others had the contract and whenever they needed Japanese they would get them, and let them go again when not needed, but some were working all the time. ——— kept the boarding-house for the Japanese.

Q. Did you gather that the Japs other than the twenty were in any way chattel of his? A. I could not say; the outsiders could go at any time. If they wanted more men they could go to the city and get them. When I thought it was necessary, I told them they must get more men.

Q. Did you gather that when they wanted more men they got them from the employment agency? A. I could not say; I don't know; I did not think they were contract laborers.

Q. There is a Federal law that prohibits aliens coming into this country remaining under orders from some contractor; as, for instance, you understand what peonage in Mexico means: if a man is here under such contract to work a number of years under a boss who brings him over, he simply reports to his boss. A. I don't think there is anything of that kind.

Q. Did you gather that any of the twenty were owned by the boss? A. No; I don't think they were. I don't think there was any peonage labor there; they would come and go.

Q. There is a great deal of political capital made out of the fact that the contract-labor laws are being violated by the Japanese? A. I think you will find that while there is no proof, the law is being evaded all the time.

Q. You say the Japanese were fed by the boss? A. Yes; he charges them 20 cents per day for board.

Q. What does their food consist of? A. For breakfast: tea, rice, and a few chopped vegetables, with a very little meat mixed in with it. For dinner: tea, rice, and dried baked fish. For supper: same as noon. He will mix one can of salmon with a little cabbage and a little potato for sixty men.

Q. Could a white man live on the same food? A. No; he would starve to death.

Q. Are the Japanese good workers? A. They are, when watched.

Q. Did they employ Japanese to pick the hops? A. Yes; when hop-picking time came they worked the same as the whites, and received the same amount per pound. Some Japanese would make as high as \$2 or \$2.50 per day, the boss drawing their money. They were then treated the same as the white people. They were paid 80 cents to \$1 per 100 pounds.

Q. Could the Japs pick as much as the whites? A. Yes.

Q. Were there any women and girls picking? A. Yes; whole families; men, women, boys, and girls.

Q. How long does the hop-picking season last? A. From three to five weeks. After the hop-picking is all over they start in picking up the string and burning the vines; they take contracts for doing that. They cut the vines 12 to 20 inches from the ground. They save all the old string and sell it; they also take out the wire pins, that fasten the string to the ground, and save them for the next year.

Q. After that do they plow? A. Yes; the white men do the plowing.

Q. What time of year does this hop-picking take place? A. In September.

Q. This land you were clearing was for the sugar-beet? A. Yes. I would not work under —, so he told me to stay there, and in a few days sent me down to the —. Worked a month or two steam-plowing; was over a gang of from 40 to 60 in clearing the beet land for the —.

Q. Where did those Japanese come from? A. Six or seven came from British Columbia; seven or eight from Victoria, and some direct from Japan, no doubt sent to labor here. The boss Japanese went to Marysville, Sacramento, and to this city, and could not get them. Japanese work at Danville and in the hop-fields on the Sacramento River, and so do Chinese.

Q. Who was the boss Japanese in the beet-fields? A. —; he has a department store and employment office here and in Sacramento.

Q. You say that the Japanese got about 90 cents per day? Do you know what the whites got that used to do the work? A. No; I do not know. I heard Mr. — say that it was a shame to have taken the work away from the whites.

Q. About how many people were engaged in the picking? A. 1,500 people.

Q. What percentage of them were Japanese? A. About 100 of them were Japanese.

Q. Where the white people come there in that way, do they work as well as if they came separately and had only work in view? A. No; some don't work hard.

Q. How are they paid? A. By the pound.

Q. How much do they average per day? A. About \$1.50 per day.

Q. How long does the hop-picking time last? A. Four or five weeks.

Q. It is evident that a large proportion of the money paid for picking goes into the hands of white labor. The next thing is packing? A. Yes; that is done by the whites.

Q. And the drying? A. Altogether by the whites.

Q. How many hands employed in the drying? A. About 100 for weighing, hauling, and drying.

Q. About how many Japanese work from the start up to the picking-time? A. They work about 60 men right along.

Q. And you do not know what they were paid per day? A. No, never knew what they were paid.

Q. Then the drying? A. That was done by about 100 white people and took about four weeks. Then it took about 16 men four or five weeks to press and pack the hops. Then after they were packed they went into the shipper's hands.

Q. Were Japanese used to plant them in the first place? A. Yes.

Q. How long do the plants last? Two or three years? A. Longer than that.

Q. Finally, you find the hops in the brewery and bakery. The Japanese work expends itself on the agricultural work. How did you find the Japanese as workmen? A. Tricky, but worked well if watched; they are very apt and much more intelligent than Chinese.

Q. We were holding an investigation of the industries awhile ago, during which one of the Chinese told us that we were making a mistake in excluding Chinese; that we could not afford to pay high prices, and unless the work in certain industries was done cheaply it would not be done at all, and that certain lines of industries would have been more prosperous if the Chinese had not been excluded. Take this hop-raising; what would be the effect if in place of the Japanese, white labor were employed? Would the effect be to stop the raising of hops to any extent? A. It would increase the price of hops. Where it costs \$15.50 per acre now it would cost much more if white labor were employed. In the beet proposition it might make sugar higher if it costs more to raise the beets. To every ton of beets there are 300 pounds of sugar; they pay \$12 to \$13 a ton for the beets. The — will plant the beets by white labor and have all the rest of the work done by Japanese. The Portuguese will have to compete with the Japanese.

Q. What would be your remedy for the employment of Japanese? A. Pass an Act against them. I think the Japanese are less harmful to us than the Chinese; the Japanese spend their money here, but the Chinese send theirs to China.

Q. What remedy would you suggest to the orchardist? A. I would do with him just as I would do with every other industry, use white labor or none at all.

Q. That hardly meets the question, as the orchardist will tell you he cannot get sufficient white labor? A. Well, the labor question is going to be very serious; there will be a time from May to November when labor is going to be very scarce.

It seemingly being established that Japanese are here to the number of some 15,000 or 16,000, and the showing being made, as far as evidence obtainable permits, as to how and under what contracts or conditions they come, there follows the important question, "What do they do here?" And to this a general answer may be returned that by far the largest number find employment at common labor. In the large cities and towns of the State a considerable number find employment as house servants, porters, etc. (and as house servants and nurse-maids, a few Japanese girls are employed), but still the total number thus employed is less than generally supposed; no doubt three thousand would include them all. While they appear in many of the trades and skilled avocations, their number as yet in any one is but few. There are some shoemakers and cobblers, some cigarette-makers, some tailors, some light furniture manufacturers, etc., but the aggregate thus employed is perhaps much under the popular estimate, rather than over it; and, as before said, by far the greater number find employment as common laborers at work that can be done simply with the hands. They do not handle machinery, nor drive teams to any extent, but seem more at home delving in the soil; using the shovel or the hoe, or similar hand implements, or the hands themselves; weeding and suckering plants, vines, and vegetables; picking fruit, and the like. As an illustration of the foregoing, and as showing the kind and the percentage of work done by them compared to that done by white labor under the present status, the following intelligent statement given to the Bureau by a gentleman who spoke with knowledge, relative to the employment of Japanese labor in raising hops, is interesting:

STATEMENT OF MR. ——— IN REGARD TO THE HOP-RAISING INDUSTRY.

APRIL 23, 1900.

MR. MEYERS: Q. You are of the firm of ———? A. Yes, sir.

Q. Your firm has, I believe, quite an extensive field at ———? A. Yes, sir.

Q. Anywhere else in the State? A. No, sir.

Q. How many acres have you in hops? A. About 260 acres under cultivation.

Q. I believe I am right when I say that hops are rooted in the ground and—

A. The percentage of resets is about ten per cent annually.

Q. Can you give me an idea, Mr. ———, taking an acre of your ground at ———, of about what labor would be required to get those hops in the ground in the first season and get the plant started? Suppose you have the ground cleared and ready for plowing? A. Speaking from memory, though I shall be pleased to prepare a statement if desired, I estimate two plowings and one cultivation required at a maximum of \$3 per acre; measuring the acre and checking it off so as to give, say, about eight hills to the acre, digging the holes and planting the roots, will cost in the neighborhood of \$10 per acre. The value of the roots planted will be about \$6 per acre. The cultivations after planting depend upon the amount of weed growth, varying from two to six cultivations, and costing approximately 50 cents per acre for each cultivation.

Q. The work of how many men would be required, and for what period of time, to do that work? What amount of labor does an acre of hops give employment to? What proportion of that labor is done by aliens, and what proportion is done by other classes? A. I would say: The initial labor of plowing and planting is done exclusively by Caucasian labor; the cutting of the strings and the splicing is done by the children

of the neighborhood; the labor of tending the roots and the stringing is done, in sixty or seventy of the yards, by Japanese and Chinese, and all the labor thereafter is done by white people.

Q. Then, after you get it through the drying process, it goes to the press and then to the teamster, then to the train, and so on? A. Yes, that is it. Two thirds of the cost is labor.

Q. It will then take the labor of one man one day to prepare the ground, or a little less than one man's labor? A. Yes, sir.

Q. Next comes this checking and dividing off, which costs \$10 per acre? A. Yes, sir.

Q. Then it takes the labor of how many men? A. Six to seven.

Q. It would take the work of seven to eight men to the acre to prepare for setting the vines. How many men would it take to set the vines in one day? A. About eight. The ground has to be carefully hilled.

Q. Now, then, we have the vines in the ground; now comes this cultivation that costs 50 cents. Is it done with horses? A. Yes, entirely.

Q. A man would cultivate an acre a day? A. It would take more than one man's work.

Q. It would not take two a day? A. No, it would not.

Q. One and a quarter? A. It would take over one.

Q. Cultivation work of one and one quarter men for one day. Now comes the suckering? A. That is a concurrent operation with the first suckering.

Q. Coming to the suckering operation, about what labor goes into the cutting of the strings? A. These children have been paid at the rate of one cent per pound.

Q. After the stringing, suckering the vines, then the tending of them; then comes the labor of picking, then drying, then baling it, then the labor of putting it on the cars or wherever you are sending it to. Do you think this method of attempting to get at a basis to estimate the amount of labor in the hop industry in California is a good one, or can you suggest a better method? A. No; that is a good one. The largest number of yards in California work on this basis.

Q. I want to be in position when I get through to be able to say what percentage of the labor is done by Asiatics? A. You will be surprised to learn that it is the smallest part.

Q. You are going into the beet industry also? Would you be willing to give me the information about the beets also? A. Yes, I would.

In connection with the next foregoing there was also obtained from the same gentleman the following estimate of the cost of raising an acre of hops in California in the year 1899, segregated as to various classes of labor, and as to materials employed.

Cost of Operating One Acre of Hops in California—Season of 1899.
Segregated as to Labor and Material.

	Labor.		Material.
	White.	Japanese.	
Clearing yard		\$1 00	.....
Plowings (2)	\$1 50		.....
Harrowings (2)	1 00		.....
Cultivations (4)	2 00		.....
Pruning, Stringing, Training, Arming, Suckering		17 63	\$7 58
Harvesting	67 37		13 60
All other	20 21		22 64
	\$92 08	\$18 63	\$43 82

All this is but an example of testimony from various sources tending to the same conclusions, viz: that, as said above, the Japanese are, as

yet, found employed principally in the toilsome hand labor of the field, the vineyard, and the orchard, and that while it is true that they thus displace white labor to a considerable degree, still the percentage of work done by them as compared with the *entire* work performed in any avocation, remains comparatively small.

The employment of Japanese in the sugar-beet industry of the State has been more or less noted and commented upon during the past several years. An effort was made by the Bureau to get a close estimate of the number thus employed, and of the percentage of work done by them, as compared with all the work done in the said industry. To this end a communication was sent to all places where requisite information seemed likely to be obtained, and from replies received the following is compiled; that is to say:

Employed at the Sugar-Beet Factories.	
Whites	1,375
Mexicans	10
Total	1,385
Employed in the Sugar-Beet Fields.	
Whites	1,500
Chinese	575
Japanese	1,000
Mexicans	850
Total	3,925

The above includes all the sugar-beet localities in the State, and is believed to be a quite close approximation. It shows that the work in the factories is done exclusively by white labor, or almost so; and reduced to percentages it shows again that of the work in the fields done by hired labor, about .14 is by Chinese, .214 by Mexicans, .252 by Japanese, and .38 by whites; while of the entire hired labor in the industry (both factory and field), about .108 is done by Chinese, .161 by Mexicans, .188 by Japanese, and .541 by whites.

An effort was made, again, to obtain an approximation as to the total common labor employed in the fruit and raisin industries of the State, in picking, packing, canning, and drying the respective products. This effort was made through various sources, and as zealously as the means at command would permit; but owing to the area to be covered and the variety of products and processes involved, the task was found difficult, and it is not felt that the estimates given are very close. However, taking as a basis the most reliable data received, the following approximation is made, that is to say:

Whites	120,000
Mexicans	2,500
Chinese	12,000
Japanese	8,000
Indians	1,000
Total	143,500

This, reduced to percentages, again shows that of the labor in the State employed as described in the industries named, .007 are Indians, .017 are Mexicans, .055 are Japanese, .083 are Chinese, and .83 are whites; and it is felt that, so far as percentages are concerned, these given quite closely represent the relative proportion in amount which any one class of the labor named bears to another, or to the whole amount employed as described.

Close investigation was made regarding the unskilled, or common labor, employed upon the various railways within the State, and in so doing a communication was sent to every railway company having track therein, asking information as to such labor in their employ in California. Replies were received in each case, and hence the data on this phase of the subject are very complete, and show that the total number of persons employed upon the railway lines of this State as common laborers, and, respectively, the number of each class or nationality of the same, to be as follows:

Whites	6,570
Mexicans	442
Chinese	393
Japanese.....	152
Total	7,557

These data were collected during the first three months of the present year (1900), and while, of course, there may have been some change in the interim, such change will not greatly vary the results here shown. Again, reducing to percentages, it appears that of the whole number of the laborers employed as named, .02 are Japanese, .052 are Chinese, .06 are Mexican, and .87 are whites. These figures negative the very general belief that a very great proportion of the common labor employed upon the railways of this State is Asiatic. The labor named includes the unskilled labor employed upon the tracks and in the maintenance of way, that employed about the freight sheds, etc., in the transportation departments, and that employed in the motive-power department around the engine-houses and coal-yards. Of the Mexican, Chinese, and Japanese labor given, the greater part is employed in track work and in maintenance of way, and a very small proportion around the engine-houses and coal-yards.

Summing up from all the foregoing relative to work done by Japanese labor, as well as by all labor other than white labor, in California, it is gratifying to note that although *certain portions* of the work in *some avocations* is largely done by Japanese labor, or by labor other than white labor, the percentage of work thus done, in comparison with *all* the work performed by wage-earners in such avocations, remains very small; and that, taking again all the work performed by wage-earners in the State in comparison with the proportion done by Japanese labor, or labor

other than white labor, the percentage done by other than white labor sinks to a much smaller figure still.

Thus, passing the subject of the coming of the Japanese, and of the kind of work they do, naturally will follow the question: Who employs them? Here again general belief may be somewhat at fault. Of those who find places as house servants, few are found in the homes of what may be termed the "wealthy." Of those performing common labor, the major part are by no means employed by "trusts," corporations, or rich employers. This does not say that *some* are not thus employed, but only that the greater part are not. As porters, etc., they are usually found in the higher classes of saloons. Again, their manufactured wares are not, as a rule, consumed by the wealthy, but by the poorer classes, who must seek economy and cheapness in making their purchases; although the fact must be noted that such wares are often sold in ordinary stores and establishments. Reverting to their employment as house servants; they are most often found thus employed by people of medium wealth, and from that to the class where ability to employ servants ceases. There are also many cases in which the Japanese is young, and is seeking an education, and he takes employment at small wages for but a portion of the day as a house servant, with the privilege of attending school, or in other ways occupying the rest of his time. In the hotels and lodging-houses, from the medium class downward (speaking as to appointment and price), they are often found as porters, and doing chamber work, and in comparatively few instances as cooks and waiters. They are employed to but little extent in the mines of the State thus far. An idea as to the extent of this employment on the rail-ways has already been given. In the sugar-beet industry, as has been seen, they are employed in the fields and not in the factories, and the lands upon which the beets are grown are as a rule in the hands of small holders, who either own or lease them, and simply contract with the factories for the sale of the beets grown; and the Japanese, or other laborers employed in the industry, are hired in gangs by these small landholders; and this holds to a great extent true as regards hop and fruit picking, they being employed in comparatively small orchards and fields, as well as in those under more extensive ownership.

As to the hours of labor per day, they work about the same as does any other class in the same avocation.

As to the wages which they are paid. Those of the student class before referred to, as in housework, receive small pay, \$6 to \$10 a month with board, etc.; and it may be noted, in passing, that this class often displaces, or rather takes the place of, a class of young white girls or boys, say from ten to sixteen years old, who would often otherwise be employed in light work, or caring for small children, or running errands, etc., but who would, however, be paid likewise but small wages for such service. When employed as waiters, or for chamber work, or for general

housework, they are paid as a rule little less than white or Chinese help employed in the same capacity; they, of course, like the others, being paid less while unlearned and inexperienced than when they understand their work. In the trades in which they are employed they as a rule receive somewhat less than white labor, and where they engage in trade or manufacture on their own account their wares are sold by them for less, and their work is done for less than white workers charge for the same wares or work. One singular instance, however, came to my notice, viz: A cigarette factory was started in this State a few years ago with Japanese cigarette-makers; a worker having first been secured from Japan who understood the business, and he having taught other Japanese in turn, until some fifty or more were employed, and were being paid \$1.35 per thousand for making the cigarettes. As time passed a few white girls were employed in cigarette-making at the same factory, and were paid \$1 per thousand, and the pay of the Japanese was reduced to \$1.25 per thousand. Business meanwhile had increased. The Japanese formed a labor union, and demanded an increase in pay and an agreement that white girls would not be employed in competition with them in the making of the cigarettes. They were granted a rate of \$1.35 per thousand for making cigarettes, also their request relative to the competition of white labor. However, white girls continued to be employed; wherefore, dissension arose in the union, resulting, as was represented to me, in the expulsion of the Japanese who remained at work in the factory, for violation of the union rules. A large number of white girls continue to be there employed, receiving, however, but \$1 per thousand for their work, while the Japanese who remain are paid \$1.30 per thousand.

In fruit-picking, etc., the Japanese usually receive not much less than does other labor likewise employed; this work being often paid by the "piece," i. e., so much per given quantity picked. This, however, does not answer the question, "Would white labor be paid more for such work if the competition of Chinese and Japanese labor was eliminated?" It is likely that in many cases it would.

The work in beet and hop fields, as has been seen, is often done by contract with Japanese themselves; and where such is the case the amount they make depends much on the wisdom with which they have bargained; with the qualification that they will take such contracts at a less rate or price than would white labor. Where Japanese are employed by Japanese in such work they are paid, so far as data obtainable speak, in the neighborhood of 80 or 90 cents per day. When employed by white employers by day wages they receive generally about \$1 per day; perhaps a little more or a little less at times, as the case may be; and it will be understood that the ruling wages paid by white employers influence to a great extent the wages paid by Japanese employers. In railway work all common labor employed other than white labor is paid about the same wage, viz: about \$1 per day; white

labor in the same avocation being paid from \$1.50 to \$1.75 per day; there being no distinction in the hours per day worked as between any class of labor.

As to the worth of Japanese as workers, various testimony has come to hand. To an inquiry addressed to railway managers as to the comparative value of white, Chinese, Japanese, and Mexicans as laborers, a reply was in one case returned which seemed quite deserving of consideration, viz: "That the percentage of the superiority of whites as workers over the other classes named was indicated by the increase in amount paid as wages to whites versus that paid to the other classes." They are generally reported as not as reliable as Chinese, and as more turbulent in disposition. In housework they are spoken of in most cases less favorably than are either Chinese or white workers.

In connection with this general subject the following tables, showing wages paid in Japan as late as 1897, and in Mexico at the present time, in various avocations, may be of some use. The tables are far from complete, but they are as nearly so as has been possible to make them. Data as to wages in most of these countries are very meager. Persistent effort has been made, but without success, to secure figures from some authoritative source as to present wages paid in China. Among the Japanese themselves persistent claim is made that wages in Japan have greatly increased within the several years next prior to this time, but nothing has been secured relating thereto sufficiently definite to justify publication.

Wages in the City of Mexico, 1900.

Occupations.	Hours per Day.	Wages per Day.
Bakers.....	5	\$0 32
Blacksmiths.....	10	1 62
Boilermakers.....	10	1 81
Bricklayers.....	10	85
Cabinetmakers.....	10	1 25
Carpenters.....	10	75
Coopers.....	10	1 00
Conductors, railroad.....		2 75
Domestics.....		31
Engineers, railroad.....		3 75
Engineers, stationary.....	10	1 25
Harnessmakers.....	10	81
Laborers, common.....	10	31
Laborers, agricultural.....	11	54
Machinists.....	10	1 37
Miners, quartz.....	10	68
Miners, iron.....	7	68
Molders.....	10	1 17
Painters.....	10	68
Pattermakers.....	10	1 50
Plasterers.....	10	62
Plumbers.....	10	1 87
Printers.....	10	87
Quarrymen.....	10	1 00
Shoemakers.....		87
Stonecutters.....	10	1 25
Upholsterers.....	10	56

Mexican currency reduced to its equivalent in United States money.

Wages in Japan, 1897.

Occupations.	Wages.	
	Day.	Month.
Blacksmiths.....	\$0 24	
Brickmakers.....	28	
Carpenters.....	24½	
Compositors.....	18	
Confectioners.....		\$4 82½
Coopers.....	19	
Door and screen makers.....	23	
Dyers.....	17½	
Fishermen.....	19½	
Gardeners.....	23½	
Jewelers.....	21	
Joiners.....	22½	
Laborers.....	17	
Laborers, agricultural (male).....	15	
Laborers, agricultural (female).....	09½	
Lacquered object makers.....	22½	
Metal utensil makers.....	24	
Mine-workers.....	24	
Oil-pressers.....	18½	
Papermakers.....	17½	
Pasters, paper.....	22½	
Plasterers.....	25	
Printers.....	17½	
Roofers, shingle and thatch.....	24	
Roofers, tile.....	27	
Saddlers.....	23	
Sake-makers.....		4 95
Sawyers.....	25	
Scutchers of cotton.....	17½	
Servants, domestics.....		1 41
Servants.....		79½
Ship-carpenters.....	25	
Shoemakers.....	23	
Shoemakers, Japanese shoes.....	19	
Silkworm cultivators (male).....	16½	
Silkworm cultivators (female).....	10½	
Snuff box, purses, etc., makers of.....	20½	
Soy-makers.....		4 18½
Spinners, silk.....	11½	
Stonecutters.....	27½	
Straw-matting weavers.....	22	
Tailors, European clothing.....	29	
Tailors, Japanese clothing.....	18½	
Tea-preparers.....	22½	
Tobacco-cutters.....	21	
Weavers (male).....	13½	
Weavers (female).....	09½	
Wheelwrights.....	20½	

One very noticeable feature of the presence of Japanese among us is the zeal which they display in becoming Americanized in manners and customs, and in this they differ greatly from the Chinese. The latter never forget their native land; at least, to any outward seeming. As far as possible they retain their Chinese costume, and go their Chinese ways as completely as though they were in Canton. The Japanese, on the other hand, seemingly devotes his first earnings here to acquiring American surroundings and habiliments; he buys American food and beverage (including at times our wines and liquors); his wife and children, likewise, if he have them, are dressed in strict accordance with

our style; and in this way a large part of the earnings come back to us. Of course his patronage is, where possible, in most part bestowed upon his own countrymen who deal in our commodities, but this is not exclusively so, and altogether we can but little complain of him as regards the disposition of his wages after they are earned.

It has been said in another part of this report that on the prosperity of its wage-earners must rest the ultimate general prosperity of a nation, and that any agency, be it whatsoever it may, which in its tendency forces the price of labor in any avocation below the point at which it might otherwise be fairly maintained, without in its effect stifling enterprise in such industry, menaces the general good; and immigration of any kind which thus tends to lower the wage of the California worker should be discouraged by all legitimate means. In another part of this report will be found tables giving the wages paid in various avocations in California, as compared with other States and countries, and by them will be made plain the fact that the condition of the wage-earner of California as regards pay and hours of labor is good as compared with the condition of the wage-earner of other places, and we wish it to remain so.

FEMALE LABOR IN THE STATE OF CALIFORNIA.

Evils are easily found; remedies therefor are in most cases found only with great difficulty.

Female labor and its condition in this State present a wide and interesting field for investigation; and no doubt in many cases improvement in conditions could be made if proper remedies and feasible methods of applying them were at hand. Like many others in the industrial world, the subject is intricate, and he who would investigate with view to improvement finds his way beset with difficulties and disappointments not plain to casual view. He or she who begins with the morning upon a seemingly simple task of reformation, and promises that before the evening the work will be done, often before high noon discovers that what in the beginning seemed the evil was but its incident, and that the evil itself or its cause is so intricately interwoven with other evils and with other interests, and that the agencies from which it grows and which sustain it are so many and so varied, that the work of ultimate correction is one of ages, and includes, perhaps, the remodeling of human nature itself.

Unfortunately, limited means and shortness of time have together restricted investigation and action regarding this subject to a considerable extent, and hence progress is much short of what it is hoped it will be within the next several years; from which it follows that this presentation must be far from perfect or complete.

It must not be supposed that this is preliminary to assertion that the condition of female wage-earners in California is, in comparison with other States and countries, deplorable. Such is by no means the fact. On the contrary, its comparative condition is, as a rule, good; but that makes not reason why it should not be made better where possible, and it is believed that in many cases improvement not only might be made, but should be made.

The avocations in the State in which women find employment are in great variety. But in beginning we may note that in field work women are seldom employed; and in this respect we differ here from most of the countries of the Old World, from many of the countries of the Western Hemisphere, and even, perhaps in lesser degree, from some of the other States of our own Union. Light outdoor work, such as hop-picking, small-fruit picking, etc., is done by women and children to some extent at times, but scarcely in sufficient amount to be important as an industrial factor. Dairy work is performed by women in some degree, but even here the modern dairy appliances and inventions are revolutionizing the industry, and the old processes of butter-making and butter-working are giving place to the new, and in the new, woman has a lesser part. The work of woman on the farm has likewise in many cases undergone much change. Harvest and seeding time are perhaps no longer in such degree her days of trouble. The harvesting outfit complete, including its modern cook-house and all the rest, with the harvest comes and goes and leaves her undisturbed. Work still to do she has, but it is believed in less laborious degree, and that such change in methods as there has been is for betterment in her condition.

But, displaced in some degree from the employment of the dairy and the farm, there suggests itself the question: "What has woman found to do in lieu thereof?" To which reply is made: "Other avocations"; of all of which in turn.

House work in its several varieties continues to give employment to large numbers of women and girls; for while, as known and shown, other classes of labor have come in later years to be employed in this avocation to a considerable degree, the larger portion, when we take the entire number of wage-earners engaged therein, remains the work of women.

In the field of educational work woman well maintains her place, and in fact, as spheres of learning have enlarged, the field for her therein has broadened.

In stores and mercantile establishments the employment of women has much increased, both at the counters as clerks, and in the offices as bookkeepers, secretaries, and stenographers.

And also in business offices of all kinds—professional, mercantile, manufacturing, transportation, governmental, municipal, and all—wherever writing is done or correspondence carried on, woman is found with stenographer's pencil and typewriting machine; and in fewer cases, perhaps, as confidential clerk or secretary.

In the professions they do not, as yet, much intrude. In the law they are so few as to be isolated when there at all. In medicine they are much more numerous, and still not many comparatively. Professional nursing has its numbers. In medical laboratories there are some engaged.

Journalism attracts a few. (Perhaps I should say many, and that few remain.)

Theaters attract a few.

As agents and canvassers, some are employed.

In some of the processes of photography their work finds place.

In various of the trades women are employed in numbers more or less. Thus, in printing, as proofreaders, typesetters, etc.; although the introduction of the linotype machine has in this avocation made their numbers, as well as those of the men workers, very much less. They are also employed in more or less degree in some of the processes of cigarmaking. Some women (or rather girls, as a rule) work in foundries, although this may seem peculiar to many, their employment there being to clean and brush light castings, etc.

In some of the trades they are numerous; such as in dressmaking, tailoring, millinery, etc.

In various manufactures women are employed; such as garment-making, glove-making, etc.

Modern inventions have opened vast avenues of employment to some of the women. Thus they are employed in telegraph offices, and in great numbers as telephone operators.

The various branches of the increased and increasing fruit industry of the State give to women, during a considerable portion of the year, a great amount of work, and this industry, too, has in turn incidentally created still other fields of employment for women, such for instance as the making of cans, labels, and other articles used in carrying on the industry.

The steam and French laundries furnish work to several thousand or more.

The foregoing includes the principal avocations within the State which give employment to women, though it includes by no means all.

The principal evils to which women wage-earners may be subject

in connection with their employment (and the same is true of men wage-earners as well) may be brought together under four general heads, as:

(1) Uncomfortable or unhealthful conditions and surroundings in places of employment.

(2) Harsh and unjust treatment in connection with employment and in connection with wages earned.

(3) Low wages.

(4) Excessive number of hours required per day's work.

Fortunately, as regards the first named, the legislative police power can do much toward providing remedies; and that power in this State has already gone a considerable way in that direction, although in some things there may be apparent room for improvement, and in others improvement might be made if facts were more fully known. Under this heading the chief difficulty is not in providing remedies, but in applying them. Efforts in that direction find many obstacles. Employers are often slow to perceive that improvement could and should be made upon their own premises, while in no way loth to proclaim that improvement should be made upon the premises of others. Women and girls are, as a rule, extremely fearful in the matter of complaint (perhaps in many cases justly so), on the ground that discovery of the fact that they had complained would mean for them loss of place; and in this connection we may say that almost all of the complaints received by the Bureau in this regard are anonymous, or are made under the seal of secrecy. It is simply impossible for the Bureau, with the force and means at its command, to so police the State as to promptly discover the existence of evil conditions such as referred to, and dependence must be placed upon information voluntarily given; and, as has been said before in many places, and here repeated, I invite information from all who have, or who believe that they have, knowledge of things under this heading which should properly have the attention of this Bureau. There is a law of the State which says: "No basement, cellar, underground apartment, or other place which the Commissioner of the Bureau of Labor Statistics shall condemn as unhealthy and unsuitable, shall be used as a workshop, factory, or place of business in which any person or persons shall be employed." The particular attention of both employers and wage-earners is hereby called to this law; and in connection with it, the condition during cold weather of many workrooms in which women are employed might be improved without doubt if cases were brought to light. Some I have known where girls would come at early morning, to work in rooms in which the atmosphere was chilled far below the point of comfort, and there, with no provision made for warmth, must sit or stand at their work in shivering endurance, perhaps for hours.

Another provision made by the law of the State is for the seating of

female employés in all establishments where the same is possible. This, however, is quite generally observed; the matter having had some considerable attention in the last year or two.

One surprising thing, however, in regard to some of these provisions for the health and comfort of employés is the lack of knowledge, often professed, or confessed, on the part of employers, as to their existence; it being common to be told, and oftentimes with undoubted sincerity, that they had been unheard of there before; certainly, it seems singular that things so important to the employers of labor should be so often unknown to such employers.

Employers, too, are resentful toward attempts to investigate or to suggest regarding conditions in their establishments, and in occasional cases place obstacles, either openly or covertly, in the way of endeavors to obtain correct information.

In connection with complaints regarding evil conditions under this head there must be great care exercised in taking action. The law is meant to be just and impartial, and it must be justly and fairly administered, having in view the rights of the employer as well as the rights of those employed. The law is intended to improve where justly possible; it is not intended to oppress or harass. It is common for ex parte statements and complaints of evil conditions to be made and repeated, sometimes in distorted form, and hence every complaint must have investigation, and a fair chance for hearing of all interests concerned, before even opinion as to its merits is formed; and all these manifold things combine to make true the prior assertion, that under this head it is not the lack of remedy which perplexes, but the difficulties which beset the application of the remedy.

Under the second heading we find much difficulty, not alone as to the application of remedies, but as to the remedies themselves. It is difficult by law to correct infirmities of disposition, and yet in these infirmities originate most of the complaints that come under this phase of the present subject. Displays of temper on one side or the other often end in discharge or resignation from place, and such things before experienced often turn women away from search of employment in some particular direction, which search would otherwise be pursued. From employment in housework quite frequently comes the complaint of things of this nature. Nor is the fault by any means found at all times to be on the side of the employer. Complaint comes from that side, too, of insubordination and lack of consideration for the interests of employers; of waiting guests, and, coincident therewith, the cook's resignation without warning. For all this there seems no remedy at present and for the future only the hope that it will bring us toward the millennium when human infirmities will disappear.

A further evil under this heading is the loss of wages often occurring to the worker. The sums usually are so small as to forbid an effort to

collect them by legal process; and that fact is apparently often taken into consideration by the debtor in his refusal to pay. Sums of from one to twenty-five or thirty dollars are in this way frequently lost by wage-earners, as will be shown in another part of this report, where mention is made of particular complaints of this nature. As stated, the sums are so small as in most cases to be less than an attorney's charge would be for prosecuting them, but they are, nevertheless, in many cases, large to the person who has given honest toil in earning them. Here again remedies are hard to find. One which would do great good, if practicable, has been recommended by some of my predecessors, and is, in substance, that the State retain an attorney in connection with this Bureau to prosecute all such wage claims, free of charge to the claimant. This, as said, would do much good, if practicable. A difficulty in connection with its operation would be that such an attorney would be able to cover but a limited territory, while the evil is State wide. Again, it may be doubted if such a law would stand judicial test as to being "class" legislation. The question is, however, one which well deserves consideration at the hands of this Bureau and of legislators, and it is hoped that time may make plain some remedy which will abate the evil. As it is, the Bureau can only do the best it can in those complaints which, after investigation, the complainant appears to have been wronged.

The third heading, "low wages," speaks of a source of complaint for which little direct legislative remedy can be found. To many it would seemingly be an easy matter to pass a law saying that in no avocation should the minimum wage be less than (for example) two dollars a day; and yet all such laws fail before a judicial test, as being infringements upon the civil right of persons to make such contracts as to them seem proper, as regards the price to be paid for what one may wish to buy and the other may wish to sell. There seems, to some, to be a departure from this in a State or Federal law which prescribes the minimum which shall be paid by an official for work done for the State or Federal government; but there is, in fact, no departure; for as the private employer may prescribe the wage which he will pay for work done for him, so may the Government, as an employer, prescribe the wage which shall be paid in its behalf to the worker in its employ.

The law and the Constitution stand in the way of legislative remedy in this regard, and again it may appear that the vote of the people might in time by constitutional amendment wear the obstacle away; and yet, if this be true, the question comes, "Would it be wise?"

The legislative voice that then might say with authority, "You may not be required or permitted to sell your labor for *less*," might with equal authority say, "You are not permitted to sell it for *more*." This has not been unheard of in the history of the world. We need turn but few years back upon the path of progress of human liberty and human

enlightenment to find the time when the law did not permit the worker to put his own price upon his toil when that price was above the maximum which the law allowed. From all this it will be plain that little remedy for the low-wage evil can come from legislation directly fixing a price for labor. Indirectly, however, legislation by encouraging the industries of the State or of the Nation, and by encouraging enterprise and the investment of capital, can do much toward upholding the wages of labor. It can help to create conditions which will cause the demand for labor to increase, and of which labor itself can then take advantage; and after which labor's best remedy for low-wage evils will be found to be within its own hands through the medium of intelligent organization, where that is possible; but then all kinds of labor cannot effectually organize, and the public opinion of the State and of the Nation should at all times set aggressively in favor of the proposition that the most prosperity for all classes is found when the worker is everywhere, in all avocations, being paid the highest wage that can be paid consistent with a healthful condition of the industry in which he is engaged.

Tirades against employers individually in this regard do little good as remedies. In the keen competition of commercial life, and for custom, he who under even conditions would pay more than his competitor, would oftentimes simply but sacrifice himself. The buyer too often seeks for cheapness, without regard for the manner in which cheapness may come; but when the great public, whose heart so generously and readily throbs in sympathy for the poor overworked and underpaid woman whose toil helps to create the things it buys, shall learn to know and to remember that all cheap things speak but of labor cheaply paid, and shall demand of those with whom it deals not only cheapness, but that labor's fair recompense shall come first sometimes and cheapness after, then will come a time when the tirade against the individual employer who treats his workers ill will be of force, and he who treats his workers well will be not self-sacrificed.

As to wages paid to women in the several avocations, it may be, in general, said: That in housework they receive from \$15 to \$25 a month as a rule; in a few cases \$30; and in many cases young girls who care for children and do light work are paid but \$2 to \$3 per week.

As clerks in stores and similar places, they ordinarily are paid from \$5 to \$8 per week; apprentices and beginners, \$3 or \$4 per week when first placed on the payroll. Saleswomen of large experience of course receive more in large establishments and important places, and in such cases \$15 a week may be paid, but such cases are more the exception than the rule, and the purpose here is to give what ordinarily is paid.

As bookkeepers, stenographers, and secretaries, their wages vary greatly. Beginners receive often as low as \$5 to \$7 per week, the wages varying from that, with experience, position, and establishment to \$100 per month; \$40 to \$65 per month being common.

In trained nursing, \$2 to \$5 per day is paid, but the work is irregular, and is in fact more professional than otherwise, and hence a standard is hard to approximate.

In journalism their pay is usually by space, and depends entirely on capability and energy. Twenty dollars per week would perhaps be a fair estimate of averages.

In theaters there is likewise scarcely any standard, and the same is true of those employed as agents and canvassers, who are generally paid by commissions, their income depending again upon ability and energy.

In ordinary photographic work their pay is small; say from \$5 to \$8 per week.

In printing, linotypers are paid by the piece as a rule, and can earn from \$18 to \$30 per week. Proofreaders receive about the same; and in positions of less degree from \$5 to \$7 a week are paid.

In dressmaking, tailoring, and millinery, beginners usually receive from \$3 to \$4 per week, and after attaining average experience and capability are paid from \$6 to \$9 per week. After that a higher wage depends upon exceptional capacity, position, or establishment.

It was before noted that in some cases girls worked in tinware-making establishments. Their work there is usually to tend cutting and stamping machines, and they make from \$5 to \$8 per week.

It was also noted that they worked at times in foundries at cleaning small castings, etc. At such employment they are paid some \$4 or \$5 per week.

As telegraph operators they average about \$45 per month; some being paid as high as \$60 per month, but those cases are exceptional.

Telephone operators begin at about \$3 per week, and after attaining average experience and capability receive about \$25 to \$30 per month, with overtime of about 12½ cents per hour if required to work more than regular daily hours.

In the laundries the girls begin at about \$4 per week, and with experience and capability rise to \$25 to \$35 per month; but in this employment they are often paid by piece work, and in such cases their earnings are measured by capability and energy, \$45 and \$50 per month being in some cases made.

In the canning factories, and in the drying and packing houses of the fruit industry, girls and women receive, when paid by time, from \$5 to \$10 per week; but by far the larger part of their work in these places is paid by the piece, and once more their earnings vary with skill and energy; a dollar a day being readily made by an average worker, and from that to a dollar and a half being not uncommon.

The foregoing resumé of wages paid should not discourage the idea before advanced that in many cases improvement in the way of increase not only might, but should be made.

Coming now to the fourth heading, viz: "excessive number of hours required per day's work." In a number of the avocations enumerated this evil exists, and the remedy therefor is not easy to find nor to apply. In housework and in housework avocations where women are employed, their hours of daily employment are as a rule many, ranging oftentimes from five or six o'clock in the morning until eight or nine o'clock at night. In many mercantile establishments, too, the hours are excessive as to number per day's work; and open eyes can but see, especially in candy and ice-cream establishments, where in the cities ladies and their escorts often go after the theater is over, girls who have been at work since perhaps eight o'clock in the morning, still waiting on customers at half-past eleven o'clock at night; and this would seem a case wherein the force of sympathetic public opinion might work a change. Candor forces admission that the seemingly prevalent idea, that the lot of the worker in large establishments is always deplorable in comparison with the condition of those in smaller places, as to pay and hours of labor, by no means holds as the rule. On the contrary, in the majority of cases the large establishment, conducted more by system, and forced by necessity, arising from the fact that where many are employed their influence upon their own condition is greater than where there are but few, requires of its employes fewer hours of labor than does the small establishment. In the cities it is the rule for the larger mercantile places to close early in the evening, while the smaller ones close late. In the large garment-making places, where numbers are employed, ten hours' work per day is the rule, while in small ones there is scarcely any rule or limit; and this holds good through most of the avocations. This does not say that the hours per day are not in many cases too long in the larger places, but that as a rule they are better there than in the smaller ones.

In office work the number of hours per day required of women workers is as a rule reasonable; about eight hours per day being the usual time, with an interval for lunch.

In most of the trades they work about ten hours per day, which is surely long enough.

It has remained for the women workers in laundries to be one of the most overworked classes of any as regards number of hours worked per day; it being not uncommon for them in certain seasons of the year to stand at the mangles and at the ironing tables from seven o'clock in the morning, almost continuously until eight or nine o'clock at night. This evil was one of the first called to my attention when I assumed the office of Commissioner of the Bureau, and I gave it much consideration. It was at once apparent that any remedy applied must be such as would treat all alike within a given place or environment. An employer could not, even if willing to do so, and do justice to himself or to his

employés, require fewer hours of work per day in his establishment than his competitors are requiring in theirs, unless the public with its patronage properly supports him in so doing, since he would simply place himself at a disadvantage in the matter of price and convenience to his patrons as compared with his said competitors, with the result that in time his business would be destroyed and his employés would lose their situations, while the less humane employers would continue to prosper and their employés to be overworked.

Direct legislative remedy for excessive hours of labor is not easy to obtain, since there stands again in the way the obstacle spoken of in connection with the legislative regulation of the wages of labor, viz: conflict with the right of persons to contract as they may choose, regarding the disposition which may be made of what one may have to sell and the other may wish to buy. Here again the best method of regulation is the organization of labor, and intelligent methods on the part of such organized labor in furthering and protecting its interests. But here again some classes of labor cannot be effectively forceful in the way desired even by organization, and they are the ones who should, wherever possible, have legislative protection; and who are more deserving in this regard than the women wage-earners of our State who strive, by honorable toil, hard though its conditions often are, to support themselves and those dependent on them? It answers not to say that if conditions are onerous, the women are free to refuse to work. As has been recognized in able language by the Supreme Court of the United States, the necessities of the worker place him under duress in many cases, and he stands then not upon an equality with the employer in contracting for the price and condition of his labor.

Regarding excessive hours per day of women wage-earners in laundries, and complaints thereof at the time I assumed the office of Commissioner of the Bureau, which complaints came principally from the City of San Francisco. I found in several laundries that it was the rule to work not only late at night, but on Sundays as well. I found this Sunday work to be contrary to a provision of Ordinance No. 1930 of the City and County of San Francisco; I therefore, after due warning to such several laundries to discontinue such Sunday work, caused the arrest of the proprietor of one of them, who persisted in working on Sunday, upon a charge of violating the provision named in Ordinance No. 1930. Conviction was had in the Police Court, but a writ of habeas corpus was taken by the defendant to the Superior Court, where Judge Lawler, after hearing, and after having the matter under advisement for a long time, held the provision in question to be invalid.

Some time later complaint chanced to be made that, located as they are in all parts of San Francisco, the noise and tumult occasioned by the operation of laundries there during late hours of the night caused disturbance to public repose, while the danger from fire, arising from

the same cause, menaced public safety. Investigating this complaint I found that another provision of the said Ordinance No. 1930 prohibited washing and ironing clothes in the public laundries of San Francisco between ten o'clock P. M. and six o'clock A. M., and that this provision had been upheld by the Supreme Court of the United States, on the very ground that it was a proper legislative exercise of the police power of the State to protect from the very disturbance and menaced danger named, and that it was also held that the time during which such protection should in any case be extended was largely within the discretion of the legislative power; and it occurred to me that the disturbance and menaced danger named began in fact in San Francisco at a much earlier hour than ten o'clock P. M. I therefore addressed a petition to the Board of Supervisors of the City and County of San Francisco, praying that they amend the provision in question of Ordinance No. 1930, and cause it to prohibit the laundry work in question between the hours of seven o'clock P. M. and six o'clock A. M., instead of as it then provided. The public press, the labor organizations, the public itself, and the Board of Supervisors, in all cases heartily supported the petition, with result that the amendment named was made. An incidental result of this amendment has been the lessening of the number of hours per day which wage-earners may be required to work in laundries in the City of San Francisco; since, whereas, theretofore they might be, and often were required to work from seven o'clock A. M. until eight, nine, or even ten o'clock P. M., thereafter they could not be required or permitted to work after seven o'clock at night.

The question whether there can be direct legislative protection extended in many cases to women wage-earners in this State, as regards the number of hours of their employment per day, has had my earnest consideration for some time. In the case of minors there is little difficulty; since, proceeding upon the theory that, owing to immature capacity, the minor is unable properly to protect his or her interests, the legislative authority is ever willing, when invoked, to give protection, and its action in so doing, upon the same theory as said above, is uniformly sustained by the courts. But when the worker crosses the line which divides minority from majority, she is left thereafter to her own resources. In a few of the States legislation limiting the number of hours per day during which women may be required to work in given avocations has been enacted; its usual basis being the theory that, for the public good, the physical welfare of woman should be safeguarded; but such legislation has been uncertainly received by the courts as a rule, and seemingly seldom upheld unless authorized by special constitutional mandate of the State in which enacted. Thus, the Legislature of the State of Illinois enacted a law providing, in substance, that in many avocations women should not be required or permitted to work more than eight hours in a calendar day. This law was declared unconstitutional, as being an

invalid restriction of civil liberty. In Massachusetts a law was passed, similar in all respects save that the maximum number of hours per day during which it permitted women to work was ten instead of eight. This law was upheld by the Supreme Court of Massachusetts. But there is a distinction between Illinois and Massachusetts in this regard, which is that Massachusetts has in her Constitution a provision to the effect that her Legislature shall, by the enactment of proper laws, provide for the health and welfare of women employed in the respective avocations, and it was under the authority of this constitutional provision that the Legislature of Massachusetts acted. Illinois has no such constitutional provision.

Under similar conditions a law of the State of Colorado, providing that no one should be required or permitted to work in mines more than eight hours in a calendar day, was held invalid by the Supreme Court of Colorado; while a similar law of the State of Utah was upheld by the Supreme Court of that State, and in turn by the Supreme Court of the United States. In both cases the law was based upon the theory that continuous underground work in mines was peculiarly unhealthful to those engaged in it. But the Constitution of Utah provides that its Legislature shall, by proper legislative action, provide for the health and welfare of workers in the mines, while the Constitution of Colorado contains no such mandate.

In most cases the courts of this State have held as invalid legislation which seeks to regulate the number of hours per day during which employés may work, or during which business may be carried on, in any avocation. Thus, laws regulating the hours of bakers and of barbers have been held invalid. Whether laws regulating the hours of labor of women, and based upon the theory, as above stated, that public good requires that the physical welfare of women should be safeguarded, would have the sanction of our courts, is a question as yet unanswered, with probabilities perhaps in favor of the negative; but in view of all the foregoing, a suggestion is made, which it is hoped will have the serious consideration of the people and of the legislators of the State, and it is, namely, that an amendment be made to the Constitution of California, providing, as is done by the Constitution of Massachusetts regarding that State, that our Legislature shall, by appropriate legislation, provide for the health and welfare of women wage-earners in this State, and, with our Constitution thus amended, it would seem that we should be able, by direct legislation, to provide sure remedies for evils that now obtain in many cases under this "fourth heading."

As was said in the beginning, the subject here is intricate and the question beset with difficulties, and this presentation of it is far from perfect or complete, but it is hoped that the next several years will show greater progress made.

LABOR-SAVING APPLIANCES AND PROCESSES, And the Effect of Their Use, as Regards Displacement of Hand Labor in California.

This subject presents a most interesting field for study. Investigation regarding it leads into all the industrial and economic questions of the age. It invites comparison of the condition of the wage-earners of the various nations of the earth. It deals not alone with the direct effect produced upon the workers of a single avocation by the introduction of a labor-saving appliance into such avocation, but it deals as well with the ultimate effect upon the workers of the whole industrial world, which results from the direct effect of such labor-saving appliance introduced, as said, into a single avocation. In its broad scope the subject includes, too, not only the effect of such appliance as to mere displacement of labor, or vice versa, but also the effect of the use of such appliance upon the enlightenment, civilization, comfort, and well-being of the whole human family, including therein the wage-earner himself.

As to California, it may be said that people nowhere are more progressive in keeping step with modern improvement than are the people of this State. The vastness of the industries in which California particularly leads encourages greatly the use of machinery, and the large and Western spirit of the people urges progress and up-to-date methods in the doing of all things. While in many of the countries of the Old World, and perhaps in some of the New, the laborer yet bends toilsomely with the sickle to gather the harvest, and finds an acre to be the work of days, in California several workers, with a mechanical monster, whose motive force perchance is fire and steam, drive through a hundred acres between the rising and the setting of the sun, and the standing grain of to-day is made the flour of to-morrow, which is placed on shipboard, destined to feed the distant peoples of the earth. In the fruit industries of the State it is in principle the same. In mechanical shops and manufacturing places, in mercantile establishments, upon the lines of transportation and of communication to and fro, everywhere, mechanical fingers are doing more and more the work of human hands, and mechanical appliances are taking the place of human intelligence; and to superficial thought this may well suggest belief that labor is being forced from places of employment into idleness and resulting distress.

Beyond doubt, the impression is quite general that mechanical appliances, as they increase in numbers, increase the number of the unemployed. At least one false premise usually accompanies this belief, and that is the assumption that in a given avocation the same amount of work would be done if mechanical appliances were discarded

as is done with such appliances in use; that hence, without such appliances more workers would be employed; that a greater demand for labor would result, which would in turn make higher wages the rule. But with reflection reason forces recognition of the fallacy of the assumption. Without the telephone, would as many communications pass as now do with it? Without steam engines, would the volume of traffic and commerce ebb and flow in quantity the same? Without ability to quickly and cheaply transport, would manufacturing, agricultural, and other industries be as extensively carried on? Without the loom, would fabrics still be woven as now with it, and without ability thus to weave would raw materials still be in demand the same? Some may answer that man must live, and must be fed and sheltered and clothed; that the work thereby occasioned must be done some way, and that human hands would do it if mechanical appliances did not. All of which is true, with this premise: that with but the work of human hands, man would live less well—would have less shelter, less food, less raiment.

The close sympathy and interdependence between the several avocations are plainly manifest. What makes possible increased activity and prosperity in one, conveys like activity and prosperity to another, and thus in turn to a third, and so on, and on again, ad infinitum; and it can be believed without great effort that an appliance introduced into, and making cheaper the conduct of, an industrial enterprise, even if in so doing it displaces labor in that enterprise, has, by the time the circle is complete, and ultimate results are balanced, left labor as much or more employed than it was before. With the advent into the harvest of the mechanical monster before named, an army of workers laid down their sickles and departed. When the marine engine came upon the ocean, unnumbered sailors ceased to "lay aloft." When the locomotive claimed its place in the commerce of the land, the driver of the stage coach and the teamster of the wagon train passed out of sight. With the coming of the telephone the usefulness of the messenger boy was almost wholly at an end; and with the introduction of the systems of intricate wires into mercantile establishments, the call for "cash" was silenced. All thus displaced may, to superficial thought, have gone to join the sorrowful and suffering army of the unemployed; but have they in fact done so? The very appliance which displaced them has created new avocations, and new opportunities for employment. They have gone to the forest, and the sound of the ax is heard. They have gone to the mine, and from its depths they dig out the metal and the coal. They meet again in the foundries and the mills to shape and fashion the very instruments that in the beginning seemed to be their own undoing. From the high to gallant yard they have gone to the hold of the mighty ship, and to new avocations amid pulsing demons of steel and steam. They are girding the continents with steel, they are harnessing the elements of nature, their occupation is without end.

In another part of this report appears a table which shows comparison as to the hours of labor per day, and wages per day, of workers in various avocations in several of the States of the United States, and in several of the countries of the world, and therein a fact is made apparent, viz: that the United States and England lead the nations of the earth as to the well-being of wage-workers, and that Japan, Austro-Hungary, and Mexico appear at the other end of the procession; and in this connection note the significant fact that in the use of machinery the United States and England lead the world again, while Japan, China, Austro-Hungary, Mexico, and similar others follow once more at the last of the line, Wherever modern mechanical appliances remain unknown, labor is found still ever close to the ground, still ever poorly paid, still ever more in idleness, in poverty, and in rags.

There is a rule in mechanics, in substance, viz: "That what is gained in power is lost in time," and vice versa.

Assuming that a man possesses one hundred units of power, and that it takes such one hundred units to lift a given weight one foot in one second, the man can by direct effort barely lift the weight the distance named in the time prescribed. By the use of a lever or a pulley he can lift the weight the same distance with a less number of units of power but he must take more time in which to do it. The question as to how far the *principle* of this rule applies in the use of what is termed labor-saving machinery is interesting. A certain number of units of hand labor, directly applied, are required to harvest an acre of grain. With the modern "harvester" the number of directly applied units of hand labor to do the same work is infinitely less, and yet when we take into account all the labor that has gone into gathering and fashioning the materials of which the implement is made, the putting together of those materials, and the maintenance of the machine in operation, including the furnishing of the motive power therefor, surely the question of how much labor has ultimately been actually saved in the sum total of industry is interesting; and when we add to this the question of how much the opportunity for employment of labor has been increased by the increase in agricultural products made possible by the use of the machine in question, there is suggested, to say the least, the conclusion that the term "labor-saving" appliance is a misnomer, and that the term "labor-diversifying" appliance would be more expressive of the truth.

This question of *ultimate* result does not appeal with force to the understanding of the man who has lost his job through the invention of a machine which does the work he used to do. The printer, deprived of place when the linotype came to his desk, and forthwith, with treble speed, did the work which he had spent years in learning to do, and who hence stands, at middle or old age, perhaps with life trade or occupation gone, feels forcefully the fact that he is idle, and finds but

doubtful encouragement in the thought that he may find work and livelihood in avocations new and to him strange; and yet, looking to labor as a whole, to final results when balances are struck, it scarce can be that labor is found less employed because machinery is so much used; rather, there seems forced upon us the conclusion that the so-termed "labor-saving" appliances are instead creators of employment for the workers, and that with such appliances unknown industrial enterprise everywhere would stagnate and die, while labor here would find the level of labor in the countries where all work is yet done by human hands alone.

And once more as to the effect of the so-called "labor-saving" machine upon the comfort and well-being of the human family. There is no measure for its extent. In the necessities, the comforts, and the refinements of life its influence is everywhere; without it what would mankind in this age do? The question presents an interesting field for study. It is addressed to the many among the workers of the nation who see in the multiplying mechanical appliances in use in the industries of the world the final end of all prosperity to labor. Perhaps they are right, but both fact and reason seemingly say no.

PRINCIPAL AGRICULTURAL, VITICULTURAL, ETC., PRODUCTS OF CALIFORNIA.

The report of this Bureau for the years 1885-6, published by Hon. J. S. Enos, the then Commissioner, contains an interesting chapter relative to the topography and the products of the various counties of the State. During the early part of the present year I addressed a communication to the Assessor of each county in California, of which said communication the following is a copy:

Mr. _____, Assessor, _____ County, Cal.:

SAN FRANCISCO, CAL., April 9, 1900.

DEAR SIR: Have you data (or, if not, can you secure it) from which you can furnish me with a statement showing, approximately, the number of acres in your county planted, respectively, to? That is to say:

Product.	No. of Acres.	Product.	No. of Acres.	Product.	No. of Acres.
Wheat	Barley .....	.....	Oats .....	.....
Rye	Corn .....	.....	Hay .....	.....
Apples	Almonds .....	.....	Apricots .....	.....
Cherries	Figs .....	.....	Olives .....	.....
Peaches	Pears .....	.....	Plums .....	.....
Prunes	Vegetables .....	.....	Lemons .....	.....
Limes	Oranges .....	.....	Blackberries .....	.....
Raspberries	Strawberries .....	.....	Wine Grapes .....	.....
Raisin Grapes	Table Grapes .....	.....	

Hoping an early reply, I am, yours very truly,

F. V. MEYERS,
Commissioner State Bureau of Labor Statistics.

The purpose here in view was to secure data relative to the products of the several counties at this time, and thus make comparison possible between production, acreage, etc., in 1886, and the same now, thereby showing any increase or decrease which may have occurred, and showing, too, the present magnitude of any industry in the State included in the inquiry, all of which could be but interesting to the wage-earners of the State as showing possible present and prospective opportunities for employment in different localities. It was also hoped that the data obtained might be made the basis of close estimate as to the number of persons finding employment within the State in the various industries included, and as to the number of aliens thus finding employment.

As is often the case where attempt is made to secure data by correspondence, the result of this effort has been somewhat disappointing. The first copy of the communication when sent brought a certain number of replies promptly. In due time a duplicate copy was sent, which brought a certain number more of replies, and in due time again a third copy was sent to all from whom replies had not been received, with result that of the fifty-seven counties in the State there remains at this writing eleven whose Assessors have either neglected or refused to furnish the information asked. The said counties are: Alameda, Amador, Butte, Colusa, Contra Costa, Fresno, Merced, Monterey, Sacramento, San Joaquin, Siskiyou. The failure of the Assessors of these counties to respond is all the more regrettable from the fact that some of the said counties are among the most important in the State, and as the report of this Bureau is sent all over the United States, and indeed to almost all parts of the world, data of this kind are always interesting in distant places.

Another factor which goes to mar the completeness of the comparisons and showing sought to be here made is the incompleteness of the data of 1886.

It will be borne in mind, too, that some of the counties of the State have decreased in size, and that new counties have in some cases been created out of the territory of others, which in case of the county losing territory must be remembered in viewing apparent great falling off in its products.

However, much in the following table will be found interesting, and it is hoped that it can be made the basis for more complete statistical information on the same subject hereafter:

COMPARISON BETWEEN 1886 AND 1899 AS REGARDS LEADING AGRICULTURAL.

Products.	ALPINE.		CALAVERAS.		DEL NORTE.		EL DORADO.		GLENN.	
	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Almonds				20				24		150
Apples		20		100		79		32		115
Apricots				25				27		270
Barley	113	50	9,000	1,500		45	3,994	1,921		28,000
Blackberries				1						50
Cherries				5		5		40		14
Corn	8	20	600	25		75		5		4,000
Figs				10				16		90
Grapes (raisin)				10			44	100		150
Grapes (table)			750	50			900	205		100
Grapes (wine)			620	1,000			500	910		750
Hay		2,400	11,000	10,000		1,600		6,593		10,000
Lemons				2				2		60
Oats	236	200		150		860	1,706	1,285		50
Olivés				50				14		49
Oranges				2				15		85
Peaches				75		1		1,303		290
Pears		5		10		7		580		280
Plums		20		5						50
Prunes				5		13		392		570
Raspberries				1						25
Rye										
Strawberries				1						
Walnuts										
Wheat	179	340	27,000	1,500			6,060	1,612		165,000
Vegetables		25		100						100

COMPARISON BETWEEN 1886

Products.	LOS ANGELES.		MADERA.		MARIN.		MARIPOSA.		MEN-DOCINO.	
	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Almonds		1,283		20		2		12		10
Apples		721		20		1,550		350		3,000
Apricots		2,179		200		60		8		
Barley		18,140		30,000				2,000		6,000
Blackberries								100		
Cherries		63				5		6		
Corn		1,261						200		400
Figs		119		40				12		
Grapes (raisin)		119		1,500				100		29
Grapes (table)		306		200				200		600
Grapes (wine)		2,991		1,000		420		500		440
Hay		13,946		1,000		11,895		6,000		100,000
Lemons		2,518						5		
Oats		1,676						200		9,000
Olivés		2,224		40				100		
Oranges		7,744				4		30		
Peaches		3,086		400		45		70		2,000
Pears		352		50		50		40		54
Plums		57						10		
Prunes		2,721		150		25		36		450
Raspberries								50		
Rye								100		
Strawberries								50		
Walnuts		1,821								
Wheat		19,225		150,000				900		15,000
Vegetables								500		

VITICULTURAL, ETC., PRODUCTS IN THE SEVERAL COUNTIES OF THE STATE.

HUMBOLDT.		INYO.		KERN.		KINGS.		LAKE.		LASSEN.	
1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
			1		20				60		
			156		100		21	82	200		338
			7		200		1,062		20		8
471	1,930	1,364	350		4,000		8,470		2,614	11,005	1,600
							25		25		200
			7		10				10		7
	505	1,312	2,500		1,800		1,500		1,000		150
			1		125			2	8		
			25		1,000		6,000		20		
			25		100		100		500		
			20				180	1,083	180		
1,494	25,000		15,000		6,500		6,000		7,334	2,900	5,600
3,372	6,725	965	1,000		100				2,086	2,750	2,370
					30				20		
					40						
			60		350		2,010	40			6
			21		150		419	15			10
			10		20		100	16			9
			40		800		1,000				5
											200
	60										2,700
					5		10				200
			5								
699	800	1,180	3,000		25,000		29,685			9,756	95,000
			100		500		250				1,000

AND 1899—Continued.

MODOC.		MONO.		NAPA.		NEVADA.		ORANGE.		PLACER.	
1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
					15		1				20
	150		40		200		250		200		118
	5		5				5		2,000		62
	11,167		60	2,993	2,000				40,000	23,980	5,600
	5		5		100		10		300		75
	10		10		15		5				96
			10	1,031	3,500		20		4,000		
					1		3		100		29
					200		20		100		165
					150		10			931	615
				14,190	2,500		200		700	1,000	250
				6,578	50,000		5,978		2,000		21,000
44,870		20,000					2		1,000		2
	300		40	1,888	2,500				5,000	27,155	1,000
					10		40		1,300		175
	5				1		2		5,000		80
	10		5		50		150		600		3,922
	10		10		45		300		60		606
					60		5				253
					400		50		700		107
	5		5		175		10		25		75
	200				150						200
	3		10		75		5		200		50
	14,000		30	23,550	1,200				25,000	50,470	19,500
	75		120		500		100		500		100

COMPARISON BETWEEN 1886

Products.	PLUMAS.		RIVERSIDE.		SAN MATEO.		SANTA BARBARA.		SANTA CLARA.	
	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
Almonds	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Apples		50		410		6		22		196
Apricots		5		80		235		260		241
Barley		4,000		1,500		114		155		5,452
Blackberries		7		4,000		4,000		29,460		34,140
Cherries		2		50		20				215
Corn				20		14				1,557
Figs						300		1,680		1,440
Grapes (raisin)				10		1				22
Grapes (table)				550						
Grapes (wine)				70						680
Hay		12,000		3,750		20,000		35,120		11,068
Lemons				1,500		1		1,428		30,917
Oats		5,000		50		3,000		67		12
Olives				1,340		60		340		74
Oranges				10,325		1		26		159
Peaches		5		1,360		12		83		16
Pears		10		250		40		25		5,427
Plums		20		720						1,411
Prunes				220		370		45		477
Raspberries		12				20				32,762
Rye										139
Strawberries		15		75		175				
Walnuts										265
Wheat		2,500		5,000		1,600		58,720		32,400
Vegetables		150								116
										12,769

COMPARISON BETWEEN 1886

Products.	SIERRA.		SOLANO.		SONOMA.		STANISLAUS.		SUTTER.	
	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
Almonds	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Apples		50		30,000		5		50		309
Apricots				200		2,000		75		140
Barley		3,500		30,000		188		88		153
Blackberries		2		41,730		2,640		28,700		13,735
Cherries		10		3,000		381		5		10
Corn						1,210		175		140
Figs				50		272		35		53
Grapes (raisin)				880				140		50
Grapes (table)				1,000		318		30		100
Grapes (wine)				1,000		820		87		12
Hay		24,000		13,810		43,620		4,500		11,844
Lemons				20				1		2
Oats		1,500		800		6,240		245		1,208
Olives				35				58		21
Oranges				1,000		59		47		5
Peaches		5		35,000		775		219		1,523
Pears		2		20,000		1,424		47		182
Plums				9,840		200				114
Prunes				25,000		4,950		169		383
Raspberries		1								
Rye		200						9,500		
Strawberries		2						5		
Walnuts										
Wheat		325		93,060		12,000		305,270		99,182
Vegetables		50						10		90,486

AND 1899—Continued.

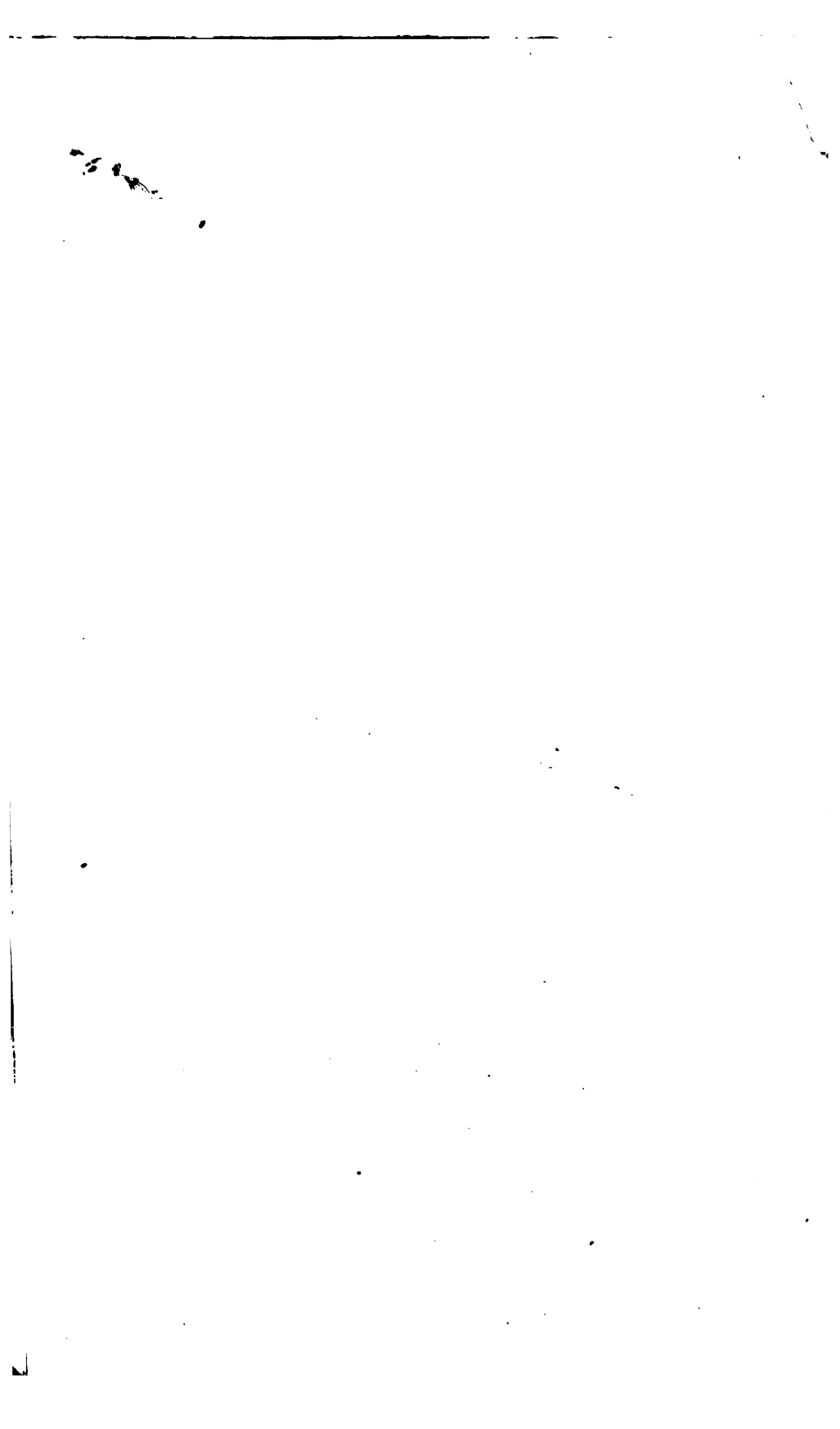
SANTA CRUZ.		SAN BENITO.		SAN BERNARDINO		SAN DIEGO.		SAN LUIS OBISPO.		SHASTA.	
1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
4	4,203	70	100	70	132	108	400	50	50	40	400
508	508	300	300	1,091	1,091	863	1,200	531	531	5	5
2,918	2,918	16,200	16,200				4,530	142,500	3,531	2,269	50
253	2,757	35	35	51	51	9	550	117	117	7	7
6	6			43	43	692	420	1,060	1,060	79	79
				5,000	5,000		450	30	30	5	5
592	1,072	16	16	100	100	400	400	1,830	75	155	170
15,464	15,464	6,320	6,320	3,000	3,000	450	450	975	75	200	200
1	5,143			700	700	571	7,000	177	177	17,649	17,649
28	28			810	810	460	4,110	9,200	3,820	206	206
2	2			10,434	10,434	962	2,200	33	33	70	70
287	287	165	165	2,500	2,500	225	2,500	41	41	1,697	1,697
270	270	130	130	305	305	191	7,500	800	800	155	155
	2,449	800	800	1,120	1,120	112	600	438	438	100	100
							32			2,443	2,443
							112	2,000	2,412	48	48
									12		
									33		
53	2,325			75	75	214	500	277	277	9	9
		12,560	12,560				5,000	365,750	6,746	6,046	6,046
		40	40							100	100

AND 1899—Continued.

TEHAMA.		TRINITY.		TULARE.		TUOLUMNE.		YOLO.		YUBA.	
1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.	1886.	1899.
<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
546	184		70	35	219	5	80	723	14		71
575	575		1	572	572	20	20	766	766		81
18,750	25,380		50	75,850	75,850	4,200	4,200	5,000	34,848	10,660	218
							10				9,725
	68		4				65		35		116
150	12		100	1,060	1,060		60		20		50
	108			73	73		3		138		64
	406			2,965	2,965			2,000	6,761	100	100
528	354						10			25	40
4,000	2,920						50	746		125	200
	24,910		10,000	7,450	7,450		8,300		7,078		18,820
				745	745				3		55
7,385	1,650	68	200	740	740		440		30	1,550	4,155
	52			53	53				45		94
	4,876		12	3,515	3,515				15		622
	427		4	3,359	3,359		100		651		1,017
				240	240		5		314		202
	678		10	4,203	4,203		50		1,065		261
							10				
			50				10				
							5				
120,000	47,090	827	500	384,975	384,975	4,500	4,500	145,000	194,660	29,805	39,856
			200			200	200				

The foregoing table has been, as said, made as complete as the data, which earnest effort has been able to obtain, have allowed. It is to be regretted that the report of 1886 is so meager, and even more to be regretted that the Assessors of so many of the important counties neglected to make returns as before described, for it is plain that with more completeness the table would be valuable as a source of information abroad regarding the extent to which the productions enumerated are produced in the various counties, and as an index from which the wage-earner might readily estimate the chances for employment in a given industry in a given county during the different seasons of the year. As it is, some interesting comparisons are permitted; one of which is the frequency, where comparison is possible between the years 1886 and 1899, with which a less acreage appears as sown to grain products, and a greater acreage appears as planted to fruits, vines, etc. In the matter of wheat, it will be noted that Tulare County leads in acreage sown, it having reported 384,975 acres in 1899. In the matter of hay, Mendocino leads with 100,000 acres, and San Luis Obispo and Sonoma follow with 62,800 and 43,620 acres, respectively. In corn the largest acreage reported from any county is 4,000 acres, which acreage is reported from both Glenn and Orange counties. In prunes, Santa Clara County leads by all odds, with 32,762 acres; Santa Cruz County has 2,449 acres, and Shasta County has 2,443 acres. Solano County reports 30,000 acres of almonds, and Los Angeles County comes next, with 7,283 acres. Walnuts are scarce so far as reports were made; Los Angeles County appearing with 1,821 acres, Santa Barbara County with 75 acres, and Yuba County with 21 acres. The aggregate acreage sown to wheat, as reported in 1899, is 2,161,524 acres, and it must be remembered that this vast sum by no means represents the entire acreage sown to wheat, since some of the counties from which no reports were returned as named, are among the principal wheat-producing counties in the State.

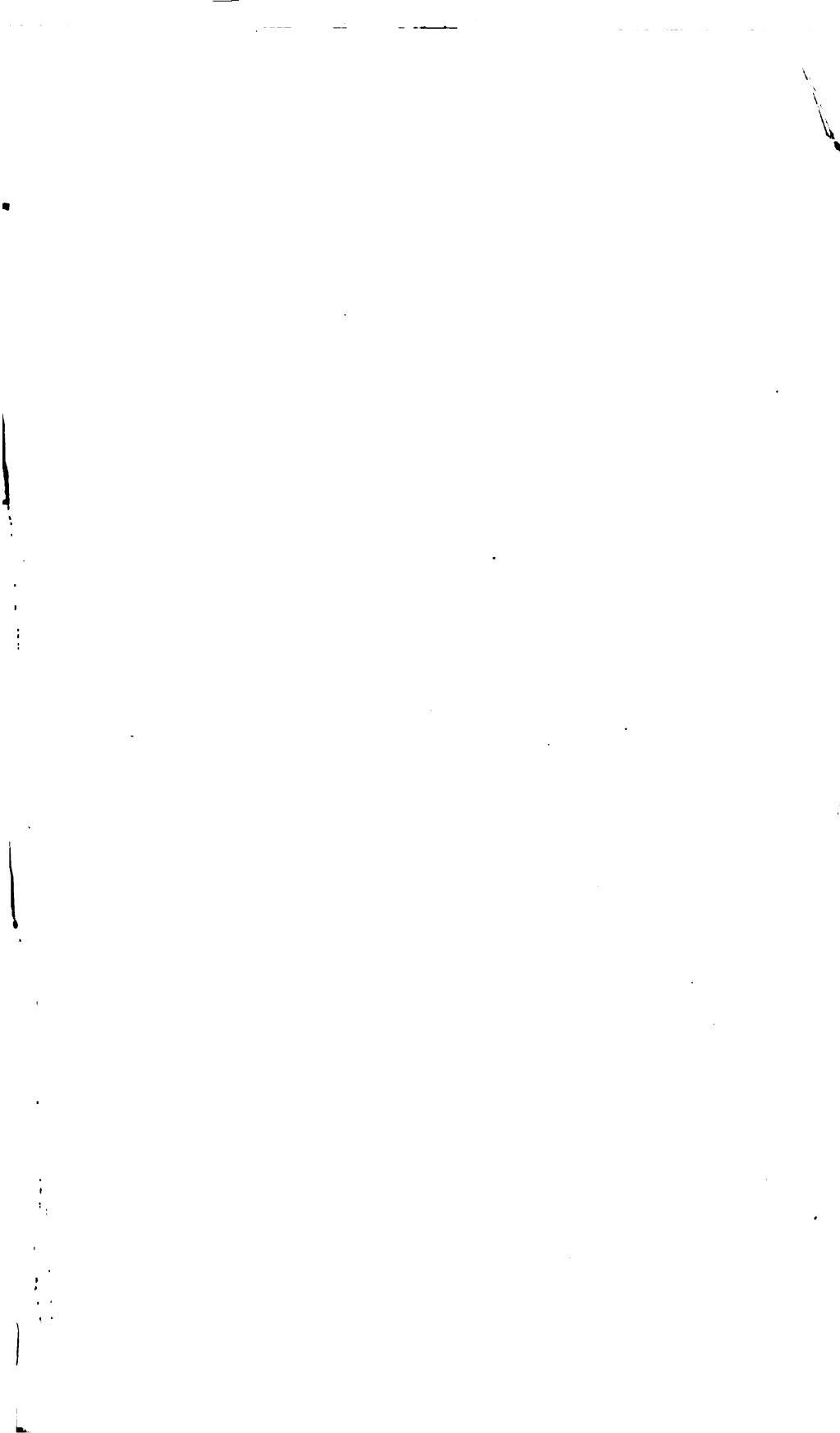
The great increase in variety of products, however, shown as occurring between the years 1886 and 1899, can be but gratifying to wage-earners, since, in connection with the work necessarily required to plant, cultivate, and harvest the several crops during the appropriate recurring seasons, promise is thereby given of more, and more permanent, employment, throughout the entire year.

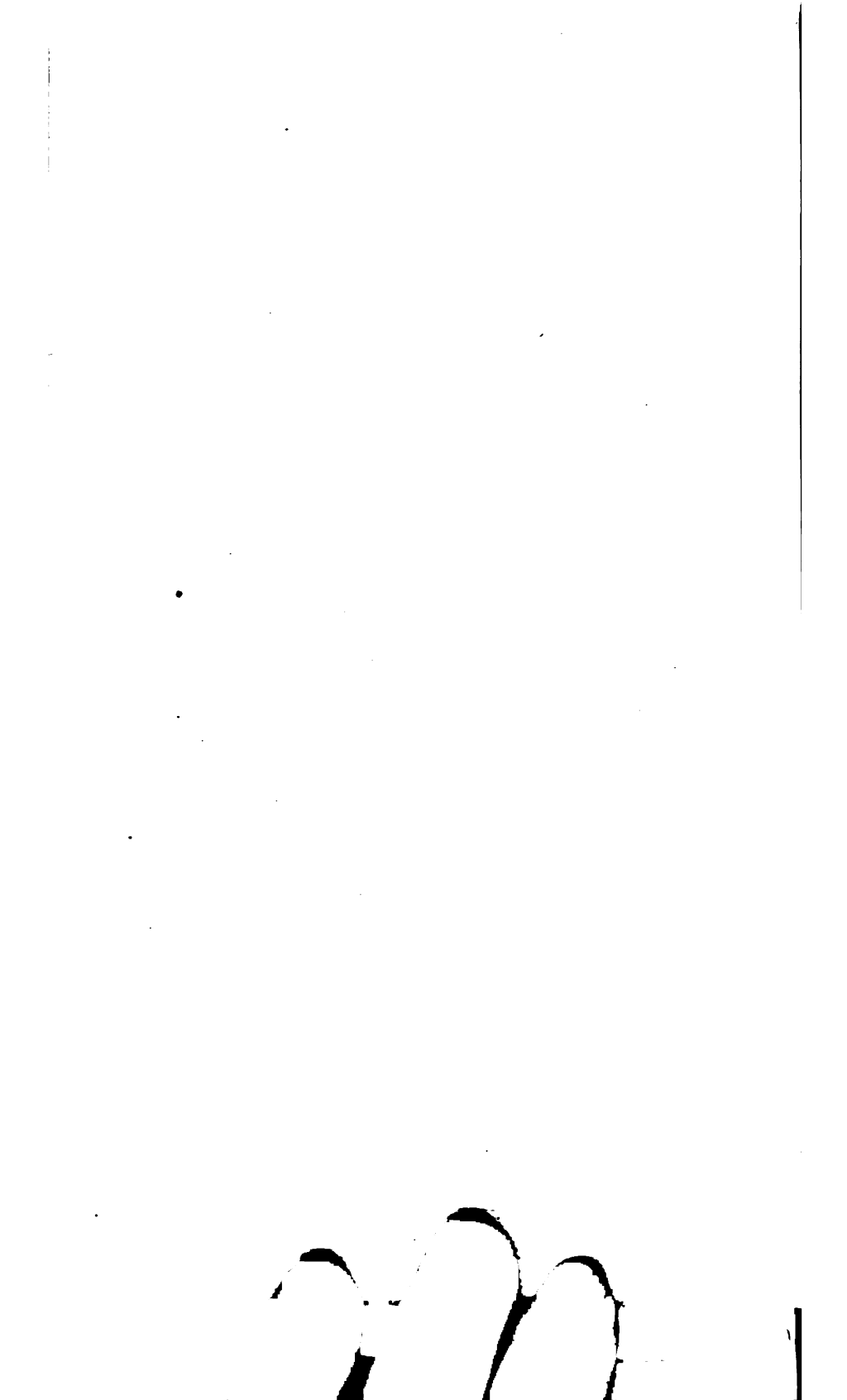


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PRESENT CONDITION OF WAGE-EARNERS IN CALIFORNIA,

As Compared with Conditions Heretofore, and in Other Places, and with Tables Showing Such Comparisons.

In gathering data for the accompanying tables, effort has been made to gather from States in such a way as would enable comparison to be made between wages paid in the respective avocations in the various several general localities of the United States, and again between the United States in general (including California in particular), and the various foreign countries as named. The tables are, of course, far from complete or as comprehensive as we would like to have them, and yet they contain a basis for some interesting comparisons. It is not intended here to draw conclusions so much as to suggest in some cases facts as they appear to be revealed by the said tables.

The figures given in regard to the respective States are taken, in the case of each State, from the latest available report of the Bureau of Labor Statistics of that State.

A fact first and most pleasingly apparent is that, as regards wages, the wage-earner of California is, in almost every avocation, better paid than is the wage-earner in any other State in the Union, and that the wage-earner of the United States is, in almost every avocation, better paid than is the wage-earner of any other country in the world; while the number of hours that he is required as a rule to render for a day's work is no more in general in California than in other States, and no more in general in the United States than in other countries, with, perhaps, the exception of England, in which the hours of labor per day as shown are not more than nine. Thus, a cabinetmaker in California receives \$2.75 for nine hours' work per day; in Indiana, \$1.75 for ten hours; in Michigan, \$1.92 for nine hours; in Nebraska, \$1.75 for ten hours; in North Carolina, \$1.13 for ten hours; in New York, \$2.50 for nine hours; in Virginia, \$1.50 for ten hours; in England, \$1.48 for eight and one half hours; in France, \$1.40 for ten hours; in Denmark, 80 cents for ten hours; in Austro-Hungary, 47 cents for ——— hours; and in Mexico, \$1.25 for ten hours.

A cigarmaker in California receives \$2.25 for eight hours' work per day; in Indiana, \$1.96 for eight hours; in Michigan, \$1.92 for eight hours; in Montana, \$3 for eight hours; in Nebraska, \$2.21 for eight hours; in North Carolina, \$1.27 for eight hours; in New York, \$2 for

eight hours; in Virginia, \$1.64 for eight and two fifths hours; in Germany, 48 cents for ten hours; in Denmark, 80 cents for ——— hours; in Italy, 60 cents for eleven hours; in Portugal, 92 cents for ——— hours.

In California a carpenter receives \$3.50 for eight hours work per day; in Indiana, \$2.40 for nine hours; in Michigan, \$2 for nine hours; in Montana, \$4 for nine hours; in Nebraska, \$2.25 for nine hours; in North Carolina, \$1.31 for ten hours; in New York, \$3.50 for eight hours; in Virginia, \$1.56 for ten hours; in England, \$1.67 for eight and one third hours; in Germany, \$1.44 for ten and one half hours; in France, \$1.45 for ten and three fourths hours; in Switzerland, 84 cents for ten hours; in Denmark, \$1 for nine and one half hours; in Belgium, 82 cents for eleven hours; in Austro-Hungary, 47 cents for ——— hours; in Sweden, 87 cents for eleven hours; in Italy, 58 cents for ——— hours; in Mexico, 75 cents for ten hours; and in Japan, 24 cents for ——— hours.

In California a cooper receives \$2.75 for ten hours' work per day; in Indiana, \$1.31 for ten hours; in Michigan, \$2.13 for ten hours; in Montana, \$3.75 for ten hours; in Nebraska, \$2.30 for ten hours; in New York, \$3 for ten hours; in Virginia, \$1.81 for nine and one half hours; in England, \$1.47 for nine hours; in Germany, \$1.25 for ten hours; in France, \$1.33 for ten and one half hours; in Switzerland, \$1.07 for ten hours; in Denmark, 89 cents for ten hours; in Mexico, \$1 for ten hours; and in Japan, 19 cents for ——— hours, etc.

The tables show that of the United States which are included therein, wages rule the highest, generally speaking, in California, Montana, and New York, and lowest in Nebraska, North Carolina, and Virginia. Of the foreign countries named, the condition of the wage-earner in the avocations enumerated seems to be best in England (although in the matter of wages alone he in Germany and France comes closely second; in the latter countries, however, he works a greater number of hours per day), and worst in Austro-Hungary, although in Sweden, Belgium, Italy, and Portugal wages seem to be as a rule very low.

Speaking in generalities, North Carolina, Mexico, and France might be brought into one group as regards wages, with the advantage in favor of North Carolina and France.

As noted in another part of this report, persistent effort failed to obtain any reliable data as to present wages in China, and the same is true also of Russia, in both of which countries labor is very cheaply paid.

Japan, as shown by the tables, easily sustains the general belief as to her labor being paid less than that of almost any other country. In connection with this, however, an observation may be made, viz: The popular belief is, that owing to the low wages paid in China and Japan,

the natives of those countries, on reaching America, are naturally willing to work for extremely low wages here, and, by doing so, and being here in large numbers, their competition has forced wages much below normal; and yet, while it is true that they are in California and on the Pacific Coast in large numbers, and surely in many avocations work for less wages than do other classes, labor of all kinds is higher paid in California and on the Pacific Coast, generally speaking, than it is anywhere else in the United States, with the possible exception of Montana, and although Chinese and Japanese labor is almost unknown in such other parts of the Union. This is merely mentioned; explanation is not attempted; but surely it speaks well for our natural advantages when it appears that in spite of all the cheap labor in question, wages are so well maintained in this State.

The lowness of wages in the Southern States, generally speaking, is no doubt due to the presence of so many colored working people, in connection with the fact that there are so few manufacturing enterprises in that portion of the country; the latter is a condition, however, that a few years will no doubt suffice to remedy.

While our statistics as to wages paid in California in 1884 are not voluminous, and the same is true as to wages paid in 1896, yet the following comparison between wages paid in some of the avocations at this time, and those paid in 1884, as shown by the first Biennial Report of this Bureau published at that time, including, in the few cases in which the data are at hand, the wages paid in the same avocations in 1896, may not be uninteresting, viz:

Occupation.	Rate per Day.		
	1884.	1896.	1900.
Bakers	\$2 50 to \$4 00	\$2 50	\$2 00
Barbers		2 50	2 00
Blacksmiths	2 50 to 4 00		3 25
Boilermakers	2 00 to 3 00	4 00	3 60
Bookbinders	3 00 to 4 00		3 00
Boxmakers	2 00 to 3 00		1 75
Brass-finishers	2 75 to 5 00		3 50
Brewers	2 50 to 3 50		2 80
Bricklayers	4 00 to 5 00		5 00
Butchers			2 50
Cabinetmakers	3 00 to 4 00		2 75
Canmakers			2 50
Candymakers	1 40		2 50
Carpet-layers	1 75 to 2 50		3 50
Carriage-trimmers			2 75
Cigarmakers	1 25 to 3 00	2 50	2 25
Cigarbox-makers			2 00
Coatmakers	3 25		3 00
Concrete-workers	2 00	2 50	3 00
Conductors, railroad	3 50		3 75
Conductors, street railroad	2 25 to 2 50		2 25
Coopers	2 50 to 3 50	3 75	3 00
Coppersmiths	3 00 to 5 00		3 75
Carpenters	3 00 to 4 00	2 75	3 50
Cutters			3 50

Occupation.	Rate per Day.		
	1884.	1896.	1900.
Clerks	\$2 50 to \$6 00	-----	\$2 50
Domestics	-----	-----	*18 00
Draughtsmen	-----	-----	4 50
Drapers	-----	-----	3 00
Engineers, railroad	-----	4 50	4 30
Engineers, stationary	3 00 to 5 00	\$4 30	2 50
Firemen, railroad	-----	2 50	2 00
Firemen, stationary	2 50 to 3 00	-----	2 00
Gasfitters	3 00 to 4 00	2 70	4 00
Glassblowers	-----	-----	4 50
Glovmakers	2 50 to 4 00	-----	2 50
Grainers	3 50 to 5 00	-----	3 75
Granite-cutters	3 50 to 4 00	-----	3 60
Harnessmakers	2 50 to 3 50	-----	2 25
Hodcarriers	2 50 to 3 00	-----	3 00
Horseshoers	3 50 to 4 00	-----	2 75
Ironworkers	2 50 to 3 50	-----	2 75
Jewelers	-----	4 50	3 50
Laborers	1 75 to 2 00	-----	1 75
Lasters	2 00 to 4 00	-----	1 75
Lathers	2 50 to 3 00	-----	3 00
Laundries	1 50 to 2 00	-----	1 16
'Longshoremen	3 00 to 4 00	3 00	3 60
Machinists	2 50 to 3 50	-----	3 25
Marble-cutters	2 00 to 3 00	-----	3 00
Marble-polishers	2 00 to 2 25	-----	2 00
Marine engineers	2 50 to 5 00	-----	4 50
Milliners	-----	2 30	2 50
Messenger boys	-----	50	1 00
Miners	2 00 to 4 00	2 70	3 00
Molders	3 00 to 4 50	-----	3 25
Painters	3 00 to 4 00	3 00	3 50
Paperhangers	3 50 to 4 00	3 00	3 50
Paperrulers	2 00 to 2 50	-----	3 75
Patternmakers	2 25 to 4 00	3 25	3 50
Planing-mill hands	2 50 to 3 50	-----	2 50
Plasterers	4 00 to 5 00	3 00	4 00
Plumbers	3 00 to 4 00	3 00	4 00
Printers	3 50 to 4 50	-----	3 00
Pressmen	3 00 to 4 00	-----	3 00
Quarrymen	2 00 to 2 50	-----	2 50
Ropemakers	2 00 to 2 50	-----	1 70
Shoemakers	2 00 to 4 00	-----	1 75
Ship captains	3 00 to 7 00	-----	6 00
Ship calkers	3 00 to 5 00	-----	5 00
Ship carpenters	2 00 to 3 00	-----	5 00
Ship joiners	2 00 to 3 00	3 40	4 00
Ship's mates	1 50 to 2 75	-----	2 50
Sailors	75 to 1 00	-----	1 50
Sailmakers	-----	4 00	4 00
Stairbuilders	3 50 to 5 00	2 75	4 00
Stevedores	3 00 to 4 00	2 50	2 70
Street car men	-----	2 00	2 40
Street pavers	2 00 to 5 00	-----	4 00
Teamsters	1 00 to 1 50	-----	2 50
Telegraph operators	1 50 to 2 50	-----	2 00
Tile masons	2 00 to 5 00	-----	3 00
Tobacco-strippers	75 to 2 25	-----	1 00
Trousers-makers	2 50 to 3 50	-----	2 25
Upholsters	3 00 to 5 00	-----	3 00
Vestmakers	2 50 to 3 50	-----	2 00
Wagonmakers	2 75 to 3 75	-----	2 75
Watchmakers	1 00 to 1 60	-----	3 00
Woodcarvers	2 50 to 4 00	-----	3 50
Woolen-mill hands (male)	2 00 to 3 00	-----	2 00
Woolen-mill hands (female)	1 50 to 1 75	-----	1 25

* Per month.

In the foregoing it will be observed that the data of 1884 simply gave the range within which wages were paid, and there is reason to believe that it includes in the highest rates given the wages of foremen and others holding exceptional positions. In the data of 1900 we have endeavored to give approximately as nearly as possible what the ordinary journeyman worker in the avocation receives, and in doing this we have had to use judgment, considering the State at large, for it will be borne in mind that wages in the same avocation vary considerably in different localities in the State; in the trades being, as a rule, higher in San Francisco than elsewhere, due no doubt to the fact that labor in San Francisco, as noted in another part of this report, is generally better organized than it is in other portions of the State.

The foregoing comparison, as far as it reaches, justifies a conclusion which sets contrary to the general current of belief in such regard, viz: that, taking wages as a whole, they are not materially lower in the State at this time than they were in 1884. It is true that in many avocations wages are less, but, on the other hand, in many avocations they are more, and what is meant is that, as a whole, the equilibrium has been maintained. Thus barbers, bakers, boxmakers, brewers, etc., receive less as a rule, and it is to them but slight consolation to point to the concrete-workers, carpet-layers, gasfitters, and others who receive more, but one seems to balance the other to a great degree.

Another noticeable feature is that the wages of common labor show but little change; they being given by Mr. Enos in 1884 as from \$1.75 to \$2.00 per day, and that is about the ruling wage at this time, although in some cases of men working with the shovel, etc., in outside places the rate paid is from \$1.50 to \$1.75 per day.

It is to be regretted that data as to wages paid in 1896 are so meager. The industrial depression which began in 1893 was, in 1896, or along about that period, at about low ebb, and doubtless complete data would show, in many cases, a depression in wages paid during that period; the few instances given, which have been obtained from reports of labor organizations as to increase in wages since 1896, show, in almost every case, the depression named.

Another interesting fact in connection herewith, and in connection with the condition of labor in 1896 as compared with its condition in 1892 and in 1900, is:

During the year 1892 there was deposited in the *savings banks* of California the sum of \$95,546,196.13; during the same period there was withdrawn from said banks the sum of \$83,304,726.35; there thus being deposited \$12,241,469.68 more than was withdrawn.

In 1894, or rather during the year 1894, there was deposited in the said banks \$97,496,712 51, and there was withdrawn \$104,155,474.06, or \$7,658,761.55 in excess of the amount deposited.

In 1899 there was deposited in the said banks \$77,572,588.06, and withdrawn \$71,867,176.16; there being thus deposited, in excess of the amount withdrawn, \$5,705,411.90.

The savings banks of a State or of a nation are the workers' depositories, and by the rise and fall of deposits therein the workers' comparative prosperity can be measured as by a barometer.

The story of a national calamity is told in the showing above, that in the space of two years the tide of the worker's condition had changed to an extent that decreased his earnings in this State almost twenty millions of dollars. An excess of withdrawals over deposits speaks eloquently of employment lost and not regained during long months of idleness and waiting for better things. Fortunately, we can say that the reverse is the condition now.

In connection with this whole subject of the condition of the labor of the State now, as compared with four or five years ago, and in regard to the benefit which labor receives from the generally better condition of industries of every description, it is not uncommon to hear the questions: "Granting that conditions generally are more prosperous, is the individual worker better off? Does he receive more pay? Is the wage rate per diem increased?" To all of which we reply:

The condition from 1894 to 1896 left an enormous percentage of the wage-earners without employment of any kind. Of those who had employment some few escaped reduction of pay. In cases where direct reduction was not made, it was made indirectly in the way of working less than full time. When the tide turned the first result was not of course increase in pay, but absorption of the vast amount of idle labor, and working on full time once more. The next effect was increase in pay in isolated cases, and from that to more frequent cases, until, at this time, demands on the part of labor for more pay and fewer hours of work per day are heard in all directions, with the pleasure of hearing in addition, in most cases, that the demands are granted.

In concluding this article, one more phase of the subject of the present condition of labor in the State should have attention, especially in connection with what has just been said, and that is in relation to increase in cost to him of the necessaries of life, coincident with the increase in prosperity generally as spoken of.

It may be said in general, that the cost of groceries in this State now averages in price about the same as in 1896; some being a little cheaper, and some a little dearer.

Hardware, stoves, and house-furnishing goods are about fifteen per cent higher than in 1896.

Meats are about ten per cent higher.

Drugs and medicines are from five to ten per cent higher.

Clothing is about ten per cent higher.

Dry goods are from five to ten per cent higher.

Fuel: Coal is the same as in 1896; wood is from fifteen to twenty per cent higher.

Rents: As to houses usually occupied by wage-earners, the same, or from five to ten per cent lower. Newer and better classes of houses are some little higher.

From all of the foregoing it would seem that the contention that the condition of the wage-earner in California compares well with the condition of the wage-earner in any other place that can be named, is well sustained, and that in fact California, in this respect, leads the States of the United States, and the United States in turn leads the countries of the world.

SOME OF THE LABOR LAWS OF THE STATE OF CALIFORNIA.

The constitutional provisions and legislative enactments of the State of California, relative to an eight-hour work-day on State and Municipal public work, have, prior to 1899, been little more than mere provisions to the effect that, when agreeable to both parties, eight hours would be regarded as a day's work for men employed. Nothing in them prevented workmen from being required to work as many hours per day as an employer might see fit to require. It is true that, as a rule, those directly in the employ of the State were kept within the spirit of the law; but a great portion of the public work being done by contractors, and the workmen generally being directly employed by such contractors, little heed was given to the eight-hour limit to a day, and workmen worked as many hours as their employer saw fit to impose. In 1899, however, a law was passed which provided, in substance, that no workman, laborer, or mechanic, employed upon the public works of, or work done for, the State of California, or any political subdivision of the same, should be required or permitted to work upon such work more than eight hours in a calendar day; that a stipulation to such effect should be inserted in every contract made by or in behalf of the State for the performance of such work; that a penalty of ten dollars per diem should be withheld from the amount due to any contractor for performing such work, for each workman, laborer, or mechanic who, in his employ, was required or permitted to thus work more than eight hours in one day; and that heavy penalties should be inflicted upon any

officer of the State or of a political subdivision thereof who violated any of the provisions of the law.

Although, so far as I know, this law has not yet been subjected to the test of judicial decision, it would seem to be valid, since it is based upon the same principle that has been upheld, as regards similar legislation, in the Supreme Court of the United States, and in the courts of a number of the States. It having thus been held to be simply in the nature of a rule laid down by an employer, prescribing the terms upon which he will receive persons into his employ, and not a restriction on the private right to contract. In the case of a contractor seeking the work, he is simply required, as one of the conditions upon which he is given the contract, to agree and stipulate (just as he might be required to agree, in the case of a contract let to him by any other builder) that he will not require or permit his workmen to work more than eight hours per day under the contract; and having thus stipulated, he becomes bound, not by any direct mandate of the law, but by his own agreement, to not permit more than eight hours in any day to be worked by his employés in fulfilling his contract.

As said, the law is quite generally observed in cases where the State directly employs. In a few such cases, however, complaint of its non-observance has been made to the Bureau; one notably being that of about two hundred and fifty employés in Golden Gate Park in San Francisco last November, while the government of the Park was yet under the jurisdiction of the State. This complaint I took up with the then Park Commissioners, Messrs. A. B. Spreckels, Wm. H. Metson, and F. W. Zeile, and after somewhat protracted negotiation, in which I was greatly assisted by the advice and encouragement of Governor Henry T. Gage, I, on December 27, 1899, received official notice from the Park Commissioners that the requirement of the law would be complied with, and that thereafter the employés of the Park would be required to work but eight hours per day, instead of nine as theretofore.

Another case was that of some of the employés of the State Belt Railway on the waterfront of San Francisco, who were being required to work twelve hours per day. In this case, however, merely calling the attention of the Board of State Harbor Commissioners to the matter resulted in its immediate correction; and it seemed plain that the violation resulted from an oversight, or from misconstruction of the law, and not from purpose; Mr. Kilburn, chairman of the Board, emphatically saying, that as it was the law to work the employés in question but eight hours, the law should be obeyed.

In cases where the work is done under contract, the violations of the law are much more frequent, and it too often seems to be that those whose duty as State or Municipal officials requires them to enforce obedience to the law, and to inflict penalties, as named, for its non-

observance, are indifferent in the premises, or fail to adopt methods by which they may be made aware of violations when they occur. There is ground given for belief sometimes that the law is not taken seriously, and that it is expected to be more honored in the breach than in the observance. The required stipulation is, as a rule, inserted (although not always); but with that, oftentimes, vigilance seems to end. This is by no means as it should be. It is not enough to say, as is sometimes said, that the law is inexpedient or unwise, or that the men employed are themselves willing to work a longer time. Waiving argument as to the wisdom or otherwise of laws shortening the hours of labor for the worker, the law is upon the books and is a fact. It was desired by workmen, and was enacted and passed in accordance with their wishes, and presumably for their benefit, and they are as much entitled to its zealous enforcement as is any other class of the community to the enforcement of laws that they deem are beneficial to them. It is not an answer to say that those employed are willing to work a longer time. Such willingness on their part is too often based upon the duress of necessity, faced by the knowledge that lack of such willingness means for them their discharge outright. And again, let us believe that the workers who wished to have the law, and for whose good will it was, perchance, enacted, believed in advocating it, that from it benefit would come to workers as a class, through lessening the number of hours per day of the individual, and thereby increasing the number of individuals employed; and this being the case, and the law being given them, they are entitled to the expected benefit as a class, or as a body, even though individuals among them may be found who, through duress, as named, or through hope of earnings in the way of overtime, are willing in their individual cases to have the law ignored.

One instance which was complained of to me was of contract work upon a county road. The Special Agent of the Bureau investigated, and made positive report that the law was being violated, and that the men in question were being required to work ten hours per day. The attention of the Board of Supervisors of the county was called to the circumstances, with only the result, however, that after much delay reply was given that they had investigated and found no violation of the law. It will be noted in connection with this law that in case of a violation by a contractor of his stipulation, as required by the law, the question of whether there has been violation and the matter of the enforcement of the penalty are almost exclusively within the discretion and control of the Board of Supervisors, or other municipal authority which has control of the letting of the contract. In the case just before cited, it was reported to me that one of the members of the Board of Supervisors which had control of the letting of the work in question, lived almost in sight of where the work was being done, in

the doing of which the alleged violation of the stipulation was taking place.

Another complaint was made to me of a case of a contract let for work which was within the contemplation of this law, from which the said stipulation required by the law to be inserted therein was entirely omitted. This is something that rarely has happened, but it raises an interesting question, for in such a case a contractor, working the men employed upon the work more than eight hours per day, is entirely beyond the reach of the law. The penalty of the law cannot reach him, for he made no stipulation as to the number of hours per day his employes should work. It has been held in the courts that the omission of the stipulation does not invalidate his contract, and he is entirely secure under it; hence, there only remains the question, whether or not the municipal authority, which should by direction of the law have required and caused the contract to contain the stipulation, can be punished for its breach of duty. I am not aware that this question has ever received judicial reply as regards this law. Section 3 of the law provides a penalty of fine and imprisonment for any officer of the State, or of a political subdivision thereof, who violates any of the provisions of the Act in question, and it has been my intent as soon as time permits to take the question up in connection with the case in point, with view to obtaining, if possible, a judicial decision as to liability on the part of the officials named for failure to place the stipulation in question in contracts which are within the purview of the law. In any event, an amendment to the law might be advisable which would clearly indicate those upon whom it intends responsibility to rest for omission to insert the required stipulation, and the penalty to be imposed upon them in case of such omission.

In addition to the State eight-hour law in question, the Federal eight-hour law applies in California to all laborers, workmen, and mechanics employed upon the public works of the United States. This law, in its present form, differs from the State law, in that, whereas the State law simply binds the contractor for the work, by his own agreement, voluntarily made when he accepts the contract, to refrain from requiring or permitting his employes upon such work to labor more than eight hours in one day, and simply makes him liable (again by his own agreement) to loss of money due to him under the contract at the rate of ten dollars per day for each such violation (the case of each workman being considered a separate violation in such regard), the Federal law makes such required or permitted violation a penal offense, punishable by fine and imprisonment. This law, like the before-named State law, is well observed as a rule wherever the worker is in the direct employ of the Federal Government; but it is often overlooked when such work is done by contract. And here again a difference exists between the State law

and the Federal law in cases of violation, in that, in the first as shown, the State or Municipal officials under whose authority the work is done are required to inform themselves of, and to take cognizance of, such violations, while in the case of Federal work the officials letting the contract are under no such a responsibility, and it rests with any one who is cognizant of the violation, and who may see fit to do so, to make complaint of the infringement of the law.

The assistance of the Bureau has been invoked on one or two occasions where this Federal law was not being properly observed; notably in the case of work being done for the United States Government by contractors on what is named as the "Tidal Canal," and also on "Sausal" Creek, in Alameda County in this State. Three several contractors were engaged on the different parts of the said work, and all were disregarding the law. I caused the matter to be carefully investigated, acting in conjunction with Mr. Mullen, Business Agent of the Alameda County Building Trades' Council, in so doing, with the result that conclusive evidence of the violation of the law was secured; whereupon one of the contractors in question immediately changed his policy, and thereafter complied with the law; which being the end desired, caused further action against him to be held in abeyance. In the case of the other two, warrants for their arrest were sworn out under the direction of Mr. Mullen and myself. In due time one was arrested, and, on preliminary hearing before the Commissioner of the United States District Court, was held for trial. A short time later the other one was likewise arrested, but expressed a willingness to plead guilty, explaining that the violation of the law had been without his knowledge, and at once changed the working hours of his employes on the work to the requisite eight hours per day. Both of these latter named cases are, at this writing, still pending in the United States Court, awaiting final hearing and disposition. The contractor named as having been held for trial has indicated an intention to test the validity or constitutionality of the law by appeal to higher courts in case the judgment be against him in the District Court. In regard thereto it may be said that it is believed that the issue of law thus involved, viz: "whether Congress may validly pass laws which regulate the number of hours per day that the employes of a contractor, doing work under contract for the Federal Government, may work, and make the violation of such laws a penal offense," has never been decided as yet by the Supreme Court of the United States, although one or two cases involving the said issue are said to be pending in that court.

Recently in Congress a bill was introduced seeking to enact a Federal eight-hour law in all essential respects the same as the present eight-hour law of California, just before described. The said bill passed the House of Representatives, but has not yet passed the Senate, and hence

the question of its ultimate disposition remains undecided. Properly enforced, it would no doubt be more effective than the present Federal eight-hour law.

The remarks made herein in connection with the California law relative to the justice of properly enforcing the same, apply with equal force in the matter of enforcing the Federal law; and it is believed that the public generally should earnestly advocate that the worker, who by reason of his necessities is often unable to take his own part, or to resent infringements upon his rights in this regard, be accorded the benefits which the law intends shall be his by its provisions, and that those charged with the duty of prosecuting and punishing violations of the law should in no case be lax in action because he who may be benefited by the zealous enforcement of the law is poor.

LAW RELATIVE TO INJURIOUS INHALATIONS.

In Section 4 of Chapter V, California Statutes of 1889, page 3, it is provided that: "If in any factory or workshop any process or work is carried on by which dust, filaments, or injurious gases are generated or produced that are liable to be inhaled by the persons employed therein, and it appears to the Commissioner of the Bureau of Labor Statistics that such inhalation could, to a great extent, be prevented by the use of some mechanical contrivance, he shall direct that such contrivance shall be provided, and within a reasonable time it shall be so provided and used."

Section 6 of the same Act provides that: "Any person or corporation violating any of the provisions of this Act shall be punished by a fine of not less than fifty nor more than one hundred dollars for each offense."

While this law has been in existence in this State since 1889, the enforcement of it heretofore seems not to have received any attention. About July of the present year (1900) my attention was called to the condition of the employés in some of the metal-polishing establishments in the City of San Francisco. I at once took the matter up and made a careful personal investigation of the said establishments, and as a result found that in some of them the atmosphere in which the employés worked was continually poisoned and rendered unhealthful by reason of the filings and dust thrown off from the grinding and buffing wheels while grinding and polishing was being carried on, and that the employés were forced, while at work, to inhale said dust and filaments in large quantities, much to their discomfort and injury. It further appeared to me that the use of a suction-blower in such establishments, with proper attachments, would in most cases prevent the said inhalation and consequent injury, and I therefore, during the early part of August of this year (1900), ordered the placing of such suction-blowers, with their proper incidental attachments, in seven of the said metal-polishing

establishments, naming in each case thirty days from and after the date of the giving of the order as the limit within which its provisions should be complied with.

At this writing one of the establishments, in cheerful compliance with the order, has the blower in operation, with most satisfactory results. Some of the others have asked for extension of time within which to comply with the order, giving seemingly good reasons for asking for such extension, and in all such cases a reasonable extension of the time has been granted. Still others have made no response whatever, and seemingly have taken no steps to obey the order, and in these cases legal steps will be taken, if necessary, to enforce compliance within due time after the expiration of the limit named in the order.

In a number of other instances of a minor nature the assistance of the Bureau has been given toward causing the observance of laws enacted for the benefit of the labor of the State, and such assistance will always be willingly and zealously given in the future, to the same end, in every case which comes to the notice of the Bureau, and in which it has authority, or has ground upon which to act.

UNFAIR PRACTICES UNDER THE "MONTHLY PAY-DAY LAW."

In the past much complaint has been made from time to time regarding payment, by certain employers, of the wages of their employés; it having been a common practice on the part of some to avoid payment of such wages in coin altogether, and in lieu thereof to maintain a "store," at which the employé might buy from the employer such articles as he might choose, and be charged exorbitant prices for the same. In some cases such a thing as payment of wages in coin would be unheard of for months at a time; and it at times happened, too, that while owing large sums in accumulated wages to its employés, a concern would fail, with result that its said employés would lose their earnings.

It was with the hope of correcting in great degree this evil, that the Legislature of California, in 1897, passed the "monthly pay-day law" (Stats. Cal. 1897, p. 231), which requires every corporation doing business in this State to pay its employés at least once a month, and, so doing, to pay on the day of payment all wages earned by such employés during the month next prior to the month in which such payment is made.

This law, while working undoubted benefit at times in one direction, has been made by some employers the basis of what would seem to be great unfairness to wage-earners in another direction or way, viz: What is termed a "monthly pay-day" is established under the law, such pay-day usually being about the 25th day of the month; and on such pay-day there being due and payable all wages earned during the preceding

month. On the first day of July a worker enters the service of the employer, usually through the medium of some employment agency. There may be posted somewhere about the work, often in an obscure place, a notice to employés, stating that the "pay-day" is on the 25th day of each month. This notice the employé perhaps never sees or hears of during his term of service. Whether he does or not is of little moment, since the duress of his necessity often leaves him but little latitude for independence in arranging the terms of his employment. He continues in the service for ten days, say, or until the 10th of July, and then is discharged, or perhaps quits, as he has a right to do. His reasons for quitting may at times be but poor ones; but, again, they may be of the best. He may fall sick; he may be summoned to the distant bedside of a dying relative; he may see opportunity to better his condition by going elsewhere; but all this is not very material. As said, he is discharged, or he quits, on the 10th day of July, and receives from his foreman a "time-check," which certifies that "John Smith has worked ten days (from July 1st to July 10th), for 'The Wage-Earners' Benefit Association' (a corporation), at \$1.75 per day," and proceeds to state as follows, viz:

Amount earned	\$17 50
Deduction for board (corporation boarding-house)	\$7 00
Deduction for merchandise (corporation store)	2 00
Deduction for medical fee (corporation doctor)	50
	9 50
Balance due.....	\$8 00

This time-check is not transferable, and if presented by any person other than the one to whom issued, payment will be refused. Payment of the amount of balance due, as shown by this check, will be made only upon the regular pay-day of the month following the month during which the service as herein shown was performed.

Hence, by all the foregoing, John Smith often stands, upon the 10th day of July, with his time-check in his hand, the \$8 balance due, as shown thereon, representing his entire worldly assets aside from the clothes he wears, without the means wherewith to obtain a meal, under the necessity perhaps, as shown above, of going without delay to some distant place, and with the information facing him, from the check itself, that it is non-negotiable, and that his ex-employer will not pay him the balance shown due until the 25th day of the following month, or at a time about six weeks later. In his perplexity and need he finally finds his way to his former employer and asks if he cannot be paid his money forthwith, usually to be met with the reply that his check is made out according to the law, and according to the rules of the corporation, and that no exception can be made in his case. However (after some hesitation, during which John Smith has had ample oppor-

tunity to realize the helplessness of his situation), he is often informed that if he is really in need of the money, the corporation, as an accommodation to him, will advance him the balance due, forthwith, at a discount of ten per cent.

The money is at the time absolutely his. There is no moral or legal reason why it should not be paid to him without delay, and yet, in order to obtain it, he is forced to pay to the one who owes it to him, ten cents on each dollar of it.

This method is frequently in vogue on work that is being done by contractors who employ large numbers of common laborers. Upon such work, as is well known, many laborers come and go from month to month. Take the case of work where, say, five hundred men are employed; the personnel of such a force will change to the extent perhaps of one half each month, from which it plainly appears that the profit to the employer accruing from the discount of balances due as named is considerable.

In some cases where investigation has been made of complaints of evils of the foregoing nature, it has been said that such practices are made necessary by reason of the instability of the workers in the matter of working for but short periods of time and then quitting and going away, with resulting inconvenience to the employer. There are two strong objections to this defense; that is to say:

(1) These men are simply employed by the day, with no promise of employment for any definite time, and under the law they are free to quit the employment at the end of any day, and any practice designed to restrict their exercise of that freedom, or to coerce them to remain when they desire to go, is an infringement of their liberty.

(2) It will be seen that under the said practice a man who has once begun service can in no way and at no time terminate that service without being put to the inconvenience of waiting, as described, for some part of the wages he has earned, or else yielding a portion of them in order to receive the remainder without delay.

These practices do not prevail with large corporations and with those of good standing, as a rule. The large railroad and transportation companies, and those of similar kind, have no such rules or methods; it remains for the smaller corporations and contractors to adopt them.

It is a subject which should have legislative attention, and if possible some amendment should be made to the law as it is, or some new law should be enacted, which will prohibit such practices altogether.

In the article in this report relative to women wage-earners in California, brief mention is made, as regards women, of another evil to which the workers are subject, and that is the loss, in more or less amount, of wages earned and due.

Complaints in this regard come not alone from women, but from all classes of wage-earners, indiscriminately, several hundred of such cases

having been thus brought to my notice since my connection with the Bureau, involving amounts aggregating many hundreds of dollars. In a few cases such claims have been unfounded, or have been prematurely brought, but in the great majority of them they have been just. In a few cases, too, the neglect of the employer to pay has arisen from honest inability to pay immediately, and in all such cases a harmonious adjustment has been easily reached. In some of the cases the refusal to pay seems to have been based simply on a feeling on the part of the employer that he has not been treated well by the employé, and that therefore he will put the employé to all the delay and trouble he can before making settlement. But, all such cases as before named aside, a great number remain in which there seems a deliberate purpose to avoid the payment of a just wage debt.

Often the claimant has nothing in the world save the small amount due. He or she cannot remain and wait, but must be up and moving in search of other employment. The court is open if it is desired to bring suit, for even without money the claimant can, so far as court costs are concerned, have his cause heard, upon making proper showing that he is without means. But, in order to effectively reach court at all he must have the help of an attorney, and in most cases the retainer required by the attorney would come to more than the amount of the claim. Again: After suit is filed there is delay of days, perhaps weeks, before judgment is finally rendered. And even then, at the end of all, with judgment in his possession, the claimant will often find that his ex-employer is without property or other assets of any kind, and that hence his judgment must remain unsatisfied. When we reflect that of the whole number of such cases, scarcely any, comparatively, find their way to the Bureau, or to the public eye, the magnitude of this evil is apparent.

Of the cases which have been brought to the Bureau, all those found to possess merit have been taken up earnestly, and zealous effort made to effect settlements; often, it is gratifying to say, with success; and in this way a great deal of good is done; but, as noted elsewhere, the whole subject is one which should have careful attention from our legislators, and it is a matter, too, where public opinion might give powerful aid to the helpless workers if the public would but remain more alive to these injustices, and more zealous than is the rule when such cases are brought to light.

EMPLOYMENT AGENCIES.

There exists at all times complaint, more or less, relative to impositions to which persons are subjected who seek the assistance of employment agencies in endeavors to secure work. Wrongs most frequently complained of are:

(1) The exaction of exorbitant employment agency fees.

As to this, I have to say, that cases have come to my notice wherein the agency, while entirely within its legal rights, has, it has seemed to me, exacted much more than it gave value for.

(2) The sending of applicants for work to positions which did not exist, or which were filled prior to the arrival of the person sent as named.

As to this, a number of such cases have come to my notice. In some of them the fault has been with the agency, in "neglecting" (to say the least) to be sure, before collecting the fee and directing the applicant, that the position was really available.

(3) Applicants for work sent, after collection of fee, to positions, while a secret understanding existed between the agent and the employer that the person sent would soon be discharged on some pretext or other, to make room for another, to be sent in the same way, and so on, thus enabling agent and employer to divide the fees obtained.

As to this, I have to say that no case has come to my notice wherein such complaint has been sustained. Naturally, proof of such a scheme would be difficult in any case, even if the scheme were being carried on. Falling off of work, or some equally plausible reason, can always be advanced as ground for discharge; hence, as the evidence before me stands, I can neither affirm, nor yet deny, as to the soundness of such complaint.

(4) Refusal to return fees when positions promised, or directed to, are not secured.

As to this, complaints have been quite frequent; sometimes well founded, but not always so.

(5) Fraudulent institutions, masquerading as employment agencies.

As to which, several such institutions have come to my notice. One purported to be a "Free Employment Agency," maintained by certain parties in San Francisco, who solicited donations from charitably inclined persons, representing the while that the institution was maintained

for the benefit of the poor unemployed. Investigation demonstrated that the office of the affair was adjacent to a saloon, and was connected therewith by an open door; that donations received averaged from \$80 to \$100 per month; that not one case of employment obtained by the institution for any person within several months prior to the date of the investigation could be established, or verified, although its president was earnest in claiming that it was what it represented itself to be, and stated that it had been maintained for several years, and even produced a certificate of its good standing, signed by a former Commissioner of this Bureau. I was forced, on the showing made, to regard it as fraudulent, and the exposé made regarding it was soon followed by its demise.

The "Commercial Clerks' Information Bureau," conducted by a Mr. S. Morris, and at present located in room 81 of the Flood building, San Francisco, received extended notice from my predecessor, on page 67 of the Report of this Bureau covering the years 1895-96. The said institution pays a license as a regular employment agency. It registers all applicants for employment, requiring them to pay a "registration" fee of \$1 for the privilege of being thus registered. The applicant is then told to depart, and wait until sent for to take a position. If no position is secured, the \$1 fee is nevertheless retained. All this is contrary to the license ordinance of the City and County of San Francisco, which provides, in substance, that all money paid for assistance to obtain employment shall be returned to the party paying the same in case a position be not secured, and makes the revocation of license the penalty for failure on the part of an employment agent to observe its provisions. A specific charge of this kind being brought against the said "Commercial Clerks' Information Bureau," a careful investigation of its methods was made, and its proprietor, Mr. Morris, defiantly refusing to discontinue illegally charging a "registration" fee, as named, complaint against him was filed with the Board of Supervisors of the City and County of San Francisco, and revocation of his license was requested. After some weeks' delay the matter came to a hearing before the board, which later served upon Mr. Morris an order, directing him either to conform thereafter to the requirements of the ordinance above named, or suffer the loss of his license as an employment agent. While there has since been no specific charge made in this Bureau against him, I have reason to believe that he continues to exact a "registration" fee, as described; in some cases at least. However, the delay and difficulty experienced in prosecuting the former charge against him has caused me to feel that the State should have more direct and summary methods by which to deal with such cases.

In March, 1900, the "Business Women's Club," duly incorporated under the laws of the State of California, opened offices at No. 927

Market Street, San Francisco, as a duly licensed, high-class employment agency, and by enticingly worded advertisements brought people, in most cases young men and women, to the presence of its president and manager, Mrs. Bradley. Once there they were, if of seeming promise in the way of cash, informed that a responsible position, with good salary, was open in the offices of the club itself, which position they seemed in every way peculiarly well qualified to fill, but that the rules of the corporation inflexibly required all its employes to be stockholders, as a surety of good faith and zeal on their part in the discharge of their duties, and they were thereupon urged to buy stock and accept the situation. The institution was conducted in this way for several months, during which time its business as an employment agency was nominal, but its manager succeeded in collecting some \$800 or \$900, in sums ranging from \$5 to \$200, for stock sold to various persons in the way described. Finally, the matter having been brought to my notice, an investigation was immediately made, which showed that the promised salaries were all unpaid, and that all money was in the hands of the manager, Mrs. Bradley. Her arrest for embezzlement was caused. She was held for trial before the Superior Court in \$500 cash bail, which she caused to be deposited, and thus gaining freedom, fled from the State.

Thus viewing the summarized grounds of complaint against employment agencies, it must not be believed that the employment agent does not make his complaint at times as well. He tells, upon occasion, of utter unreliability and instability on the part of professed seekers for employment; of those sent in good faith to fill orders, who break engagements and refuse or fail to go, much to the injury of the business of the agent, and to the inconvenience and detriment of the waiting would-be employer; and he suggests that, while considering remedies for evils in connection with this whole subject, it might not be out of place to consider means wherewith to mitigate the wrongs and ills inflicted upon employers, upon employment agents, and upon honest labor itself, within the State, by unreliable and undeserving (professed to be) workers themselves. All these things foregoing have caused me to give some thought to this subject, and to the question of remedies possible to be devised and applied, which would tend to mitigate or suppress the evils enumerated.

Conducting an employment agency is a legitimate business under the law, and is one which, when honestly carried on, serves in more or less degree a beneficial purpose in the industrial economy of a State. It is not the agency itself, but fraud and imposition sometimes practiced in connection with it, which in any case makes it an evil. If its proprietor be honest there will be little ground for complaint; if he be dishonest, humanity will suffer in dealing with him, the same as it will in dealing with him in any other way; hence, it is seen that the proposition,

sometimes advanced, that all employment agencies should be suppressed, is not well established; but the dishonest ones among them, and the dishonest practices in connection with some of them, should be suppressed.

Passing, we may inquire as to what workers, as a rule, seek the assistance of employment agencies, and in this regard it may be said that, as a rule, they are the workers who follow unskilled avocations. Those in skilled trades, and particularly those who are members of labor organizations, seldom, under ordinary conditions, seek employment through the medium of employment agencies; although unusual conditions may cause departure from this rule at times.

In this connection the following lists (by avocations) of applications for employment, made to employment agencies within given periods, may be instructive:

APPLICATIONS TO EMPLOYMENT AGENCIES.

Males.

Avocation.	No.	Avocation.	No.
Barn man	9	Janitor	1
Bartender	1	Laborer	72
Boy	5	Machinist	1
Carpenter	2	Machine hand	1
Clerk, general	9	Polisher	2
Cook	4	Pressman	1
Dishwasher	11	Porter	10
Electrician	1	Salesman	1
Farm hand	21	Teamster	2
Fireman	3	Waiter	3
House man	11	Watchman	5

Females.

Avocation.	No.	Avocation.	No.
Bookkeeper	1	Laundress	6
Chambermaid	10	Nurse	4
Cook	19	Office work	4
Day work	2	Pantry work	4
Dishwasher	10	Scrub woman	20
Factory work	8	Seamstress	3
Housekeeper	1	Second girl	5
House work	79	Stenographer	2
Kitchen work	13	Waitress	19

And again:

Males.

Avocation.	No.	Avocation.	No.
Arts	29	Ironworker	7
About house	2	Janitor	98
Boilermaker	2	Kitchen help	159
Bartender	112	Laborer	3,498
Baker	170	Lumberman	30
Barber	10	Laundryman	60
Bookbinder	12	Liveryman	14
Blacksmith	261	Machinist	237
Brewer	9	Mason	113
Boy	364	Miller	7
Butcher	108	Miner	178
Bookkeeper	254	Man and wife	49
Candymaker	8	Miscellaneous	487
Carpenter	585	Nurse	33
Clerk	799	Plasterer	6
Coachman	121	Painter	241
Cook	727	Paperhanger	59
Cigarmaker	11	Peddler	19
Cooper	26	Plumber	105
Dairyman	104	Porter	423
Dentist	1	Printer	64
Druggist	11	Salesman	185
Dishwasher	89	Shoemaker	41
Electrician	47	Stenographer	44
Engineer	502	Stone-cutter	39
Fireman	20	Tailor	10
Factory	21	Teacher	20
Farmer	548	Teamster	885
Fruit	321	Tinsmith	21
Gardener	176	Upholsterer	3
Handyman	238	Waiter	323
Harnessmaker	30	Watchman	179
Hotel help	155	Woodman	250
Hostler	138	Wagon-driver	42
Hop-picker	311		

Females.

Avocation.	No.	Avocation.	No.
Arts	8	Hop-picker	185
Bookkeeper	28	Laundress	96
Chamber work	611	Milliner	25
Clerk	150	Miscellaneous	46
Cigarmaker	3	Nurse	302
Cook	415	Raisin-packer	96
Cannery help	294	Seamstress	107
Factory help	36	Stenographer	49
Governess	141	Teacher	38
Housekeeper	189	Waitress	217
Housework	1,633		

Another feature, interesting in connection with a close study of this subject, is the approximate average length of time for which a situation, obtained through the medium of an employment office, is held by the person who secures it. While it is true that in many cases places thus obtained are held for years, those conversant with the subject estimate that, as a rule, such situations are held on an average but about two months. This may suggest that labor of the kind here in question is unstable; which is to some extent true, no doubt; but therewith must be borne in mind the fact that much of the work which such labor does is itself unstable, or of but temporary duration.

Again, as to the percentage of the wage-earners of the State who are habitual patrons of employment agencies. Little in the way of reliable data is at hand. Reflection shows, however, that it is small in comparison with the entire wage-earning population—approximately, probably, not more than ten per cent. Herewith, however, must be borne in mind again the fact that, as said above, the average of time during which positions secured through the medium of employment agencies are held is but about two months, and hence it is manifest that the same person has, on an average, in the course of a year, made repeated applications, and that therefore the aggregate number of applications made becomes very large.

While, unfortunately, we have no up-to-date data as to the number of employment agencies in the State, my predecessor, the Hon. E. L. Fitzgerald, reported about seventy regular agencies existing in the year 1896, aside from a greater or less number of such agencies carried on in conjunction with other kinds of business, and it is probable that the number remains about the same at this time.

With all the foregoing as premise, and it being shown, it is assumed, that some remedy should be applied which will mitigate or suppress, as named, the evils complained of, question comes as to what shall be that remedy?

The maintenance, by the State, of "Free Employment Agencies" is advocated by some as furnishing such remedy, and such agencies have been established in a number of the United States and in some foreign countries. The States referred to include Ohio, Montana, Nebraska, New York, Illinois, Missouri, Washington, and California, and the foreign countries include France, England, Germany, New Zealand, Australia, Bavaria, and Russia. It must not be supposed that in all of the States and countries named a system of such "free agencies" has been maintained complete enough to cover all territory in all cases. As a rule, but a small territory has been reached. The "free agencies" established as named in Missouri, Washington, and California, were instituted and carried on by the Bureaus of Labor Statistics of the said respective States, without any special legislative authorization. The one in California was maintained between July, 1895, and June, 1897, by my predecessor, the Hon. E. L. Fitzgerald, and was supported during its existence out of the ordinary contingent fund of the Bureau, aided to some extent by private contribution. At the session of the Legislature of 1897 a bill was introduced providing for the establishment and maintenance, under the supervision of the Bureau, of such "free agencies" at various points throughout the State, but the bill failed to become a law.

While, as said, this plan of maintaining free State employment agencies is advocated by some as a proper remedy, the question of its

feasibility and expediency will bear analysis; and here we may step aside for a moment to note a possibly somewhat popularly prevailing belief, based upon superficial thought, viz: that, somehow, "Free Employment Agencies" make work in the aggregate more plentiful, and wages better. As a fact, such agencies make neither more, nor yet less, the volume of work to be done. When industries are depressed, applications for places will be many, while places secured will be but few. Thus, the report of former Commissioner Fitzgerald, relative to the Free Employment Agency maintained by him in this State, as heretofore said, shows that while, during the time between July, 1895, and July, 1896, 18,920 persons applied to the agency for employment, only 5,845, or but about thirty-one per cent, secured places. In times of industrial activity, the reverse of the proposition is presented, viz: that the orders from employers for help greatly exceed in number the applicants for positions. It is thus plain that the benefit arising from the maintenance of "Free Employment Agencies" will exhaust itself in one or both of two ways, that is to say:

(1) By protecting wage-earners from purporting-to-be agencies that are merely swindles, and by protecting them from imposition in the way of exorbitant charges for fees, and refusals to return fees when places promised are not secured.

As to this, it is manifest that the wage-earner is entitled to the protection named, as far as society and the law can within reason give it. Those who seek assistance from employment agencies in endeavoring to secure employment are, as a rule, poor, and, under the duress of their condition, are peculiarly liable to imposition. When imposed upon they are to a great extent helpless in the matter of obtaining redress, and these things commend them to the legislative authority as entitled to protection. It matters not that some of them may be unstable and improvident, or that their number, in comparison with the entire working population of the State, may be small; such things make only additional reason why appropriate action should be taken in their behalf. But the question remains, "Will the maintenance of 'Free Employment Agencies' by the State be feasible and expedient in the way of the remedy sought?" Those not friendly to the maintenance of such agencies suggest several objections to them, as for instance: "That the applicant for employment, paying no fee, and being in no way liable to pecuniary loss in so doing, would be entirely careless in the matter of keeping engagements when sent to fill orders for help, and that thus employers, finding the agency entirely unreliable as to filling orders, would not patronize it, but would continue to place their orders for help with the regular agencies, thus forcing the worker still to patronize such agencies in most part."

Again: "That being 'free,' such agency would, as 'free' things usually

do, attract in most part the shiftless and unreliable, rather than the thrifty and reliable, among the workers, much to the detriment of the success of the agency."

And still again: "That being 'free,' the agency would in time of industrial depression attract indigent labor from elsewhere, to compete with the workers of the State for what little there might be in the way of employment."

Once more: "That its managers, in no way dependent upon success for income, would lack zeal in conducting it," etc.

I voice these objections for what they may severally seem worth. Doubtless there is merit in some of them. A law prohibiting the maintenance of private agencies, or prohibiting employers from patronizing such agencies, would seem scarcely practicable, and yet, manifestly, with the private agency still permitted, and the employer still free to place his order for labor with it, the "free agency" as a medium through which to secure help must be in all ways as reliable and as desirable as the private agency in order to receive patronage at all from employers. If the "free agency" was not patronized, and the private agency still flourished, plainly the "free agency" would be useless as a remedy for the evils of the private agency.

But another consideration presents itself. Wage-earners cannot ordinarily travel long distances in order to seek assistance from an employment agency. The agency maintained in this State in 1895-6-7, as said, located in San Francisco, and doubtless, under the circumstances, of local benefit to labor, was not available to the workers of other parts of the State, and it is apparent that to equally benefit the various localities (and the State managing it, all should have equal benefit) there must necessarily be numerous "free employment" offices distributed in proper places; whereupon would arise the question of great cost for maintenance, coupled with consideration of the fact that, as before mentioned, in times of either great industrial depression or industrial activity, the agency, while receiving many applications for places, or for help, as the case might be, would be able to afford relief, or fill positions, in comparatively but few cases. This question of cost to the taxpayers enters largely into consideration of the feasibility of the plan. Plainly, to make the benefit general and equally accessible throughout the State would require a large annual expenditure, and this, with the other considerations connected with this phase of the whole subject, is now left to the judgment of the various readers of this report.

(2) The second way, as before named, in which benefit arising from the maintenance of "Free Employment Agencies" must perforce exhaust itself, is by causing the State to bear the burden in the way of fees paid by wage-earners to employment agencies, which the wage-earners now bear. Stripped to its ultimate effect this would be a species of "State

aid." Calling attention to those things before mentioned, which, by causing the "free agency" to be not patronized, would neutralize its utility as a remedy for the evils herein named, as well as its benefit in this immediate regard, and to the fact that the cost of maintenance must equally, through good or evil times, go on, there is no doubt but that there are times during which it is desirable for the State, or for any other agency able to do so, to bear the said burden in behalf of many honest and deserving workers. In times of great industrial depression, such as existed during the time before named, when a "Free Employment Agency" was maintained, as described, in connection with this Bureau in the city of San Francisco, anything which lightens the burden of the worker in his endeavor to secure employment is desirable; whether it be the bearing of the burden of the employment agency fee, or of the railway or other transportation fare necessary to enable him to reach places where work can be had. Not the least among the benefits mentioned by Commissioner Fitzgerald as having arisen from the work of the "Free Employment Agency," was its ability to secure from the Southern Pacific Company reduced railway transportation for persons seeking employment, aggregating in amount over \$1,900. Indeed, in many cases mere lack of the requisite employment agency fee is the least evil which confronts the idle worker. The lack of fare for transportation is oftentimes more serious, and the failure of employment everywhere is most serious of all; and so, as said, in such evil times, the State, or any other agency, may well and fittingly do all reasonably possible to lighten these several burdens of the deserving unemployed. But, considering the "Free Employment Agency" as a medium through which to work in such cases, and its expediency as such medium, heed should be given to the fact, as just before named, that while cost of maintenance goes on through good as well as evil times, the necessity for aid of the kind described, in great measure, vanishes when the good times come; and all this suggests the question whether there be not some other method by which the evils complained of (as named) in connection with employment agencies, can be suppressed or mitigated more effectually, possibly (and involving less cost to the State) than by the operation of the "Free Employment Agency."

In other things the legislative power has been often invoked to provide protection to the people against fraud and imposition; and this has been particularly the case in things wherein the duress of necessity is peculiarly liable to allow the poor and the helpless to be taken advantage of, and in things wherein the relative situations of parties in their mutual dealings place one at a disadvantage as against the other. Thus, the banks of the State, and the building and loan associations, are all under the control and supervision of commissions, whose duty it is to require

such institutions to deal honestly in all things with their patrons, and to suspend the operations of such institutions when derelict in such regard. The law is heard to say again that those who carry on the business of a pawnbroker shall not be free to take unlimited advantage of the necessities, and of the oftentimes helpless condition, of the persons with whom they deal. I can imagine no one more entitled to protection from imposition than the person out of work, honestly seeking employment, going with perhaps his last coin to the employment agency, to seek assistance in his search, and yet as it now is we find that the law affords such person scarcely any protection at all. So far as general legislation in this regard is concerned, it has expended itself at this time in Subdivision 25 of Section 25 of the County Government Act of 1897 (Stats. of Cal. 1897, p. 452), which simply delegates to the Supervisors of the several counties authority to license employment agencies.

In the City and County of San Francisco, the Board of Supervisors some years since passed an ordinance (which is still in force) providing, in substance, that each keeper of an intelligence office shall pay a license tax of \$16 per quarter, and shall, for all money received for assistance in obtaining employment, give to the payor a receipt, conditioned that if the promised place be not secured by the applicant, the money paid will be refunded if the receipt be returned within two days (or ten days if the promised position be outside of the City and County of San Francisco), together with a written statement from the prospective employer that the applicant could not get the situation promised.

Under this meager legislative supervision licenses are at times issued to institutions which are simply fraudulent. With license once obtained, the keeper of the intelligence office is left to his own will and devices; no one is clothed with special authority to inquire into or supervise his methods; if he be dishonest his victims can of course complain to the Police Courts of having been swindled, but in most cases the sum involved is but a dollar or two (large, oftentimes, to the victim, it is true); the complainant, out of work, without means, probably without witnesses, unable to wait for the law's delay, must move on to live, and so in most cases must helplessly submit. If they come to this Bureau with complaint, it can only directly use moral suasion with the offending agency; if necessary to go further it must work through the courts, or through the Board of Supervisors, as instanced in a case described herein, and thus the complainant must be under the same disadvantage as to delay, which was just named, and the Bureau perforce soon finds itself with its prosecuting witness gone.

With the foregoing presentation of this whole subject, I take the liberty of presenting, for consideration, to the people of the State, and to its Legislature, the question of the expediency and feasibility, as remedies of the kind desired, of legislative enactments as follows:

(1) Prohibiting the collection of an employment agency fee in any case prior to the time when information of a situation such as sought for, and actually then open to the applicant, is given to the applicant.

(2) Requiring prompt return of the fee to the payor, in all cases wherein the position for which payment was made is, through no fault of the applicant, not open to him as understood when fee was paid.

(3) Making employment agents responsible for reasonable costs and expenses incurred in going to and returning from place to which directed, by applicants paying fees as herein, in all cases wherein the place to which directed shall be, in any material respect, other than as represented when fee was paid, and in all cases wherein places are not open, as next above, through no fault of the applicant.

(4) Prescribing the maximum fee which an employment agent may charge in any case for assistance in securing employment for any person.

(5) Placing all employment agencies in the State under the supervision of the State Bureau of Labor Statistics; requiring county officials to report to said Bureau the names and addresses of all corporations, companies, and persons to whom licenses to maintain intelligence offices within their respective counties are issued; investing the said Bureau with authority to hear and determine regarding complaints against such agencies, and to suspend or revoke the licenses of such agencies upon proper cause shown; also, requiring such agencies, at stated periods, to furnish to the said Bureau, in manner and form such as may be prescribed by the Bureau, reports, showing, in substance, applications for employment, kinds of work applied for, applications for help, kinds of help applied for, places furnished, fees collected, fees returned, demands for return of fees and demands refused, and all other information essential to a full and fair understanding of the methods and affairs of such agencies.

With such laws in operation and fairly enforced much of the complaints of fraud and imposition in connection with the business of employment agencies which are now heard should cease, to the considerable advantage of wage-earners and of honestly conducted agencies.

LABOR ORGANIZATION.

The organization of wage-earners, according to their respective avocations, into societies and coöperative bodies for the purpose of protecting their respective interests, improving the condition of their employment, and maintaining and increasing the price received for their labor, as well as mutually to sustain and assist each other in time of sickness and disaster, is a matter so important, and the influence of such organization upon all questions of industrial enterprise and development within the State is so great, that the fact that it has never heretofore received prominent notice by this Bureau, or by any other State or Municipal authority in California, is remarkable. It cannot be said that the wage-earners here are lacking in intelligent progressiveness, for certainly in no State in the Union are they more alive to the importance of intelligent organization as a highway to better things for the wage-worker; and this prompts me to believe that the following data regarding labor organization in California, lacking in completeness though it may be, will in some degree fill a heretofore marked vacancy in the economic and vital statistics of the community.

In collecting and assorting the said data, I called temporarily to my assistance Mr. W. Macarthur, a member of the San Francisco Labor Council, and for a long time editor of the Coast Seaman's Journal, who, by reason of his long experience in labor matters, seemed to me well fitted for the work, and to his valuable help I am indebted in large part for whatever merit may appear in the following presentation of statistics and figures pertaining to this subject.

As a preliminary step the questions appearing in the following table (No. 1) were mailed to each labor organization within the State, the existence of which was known to us, or knowledge of which could be secured by us in any way:

TABLE No. 1.

1. Name of organization.
2. Where located.
3. Name of Secretary.
4. Address of Secretary.
5. Date of foundation of organization.
6. Total number of members May 31, 1900.
7. Per cent of workers in avocation in vicinity who are members.
8. Present rate of wages.
9. Present number of hours of labor, per day's work, required.

10. Number of members steadily employed during quarter next preceding May 31, 1900
11. Average number of days per member per month of enforced idleness during said quarter.
12. Changes, if any, in wages paid, hours of labor per day's work required, or in numerical membership of organization, occurring between June 1, 1896, and May 31, 1900.
13. Death or sick benefits, if any, paid to members or their families in case of death, sickness, or disability.
14. Name and address of National Body affiliated with.
15. Wages and number of hours per diem of unorganized workers in same avocation in same locality.
16. General remarks as to the condition of the avocation as regards employment therein, and suggestions as to legislation which is thought would be beneficial to wage-workers.

It will be seen that the scope of the above inquiries embraces all features of labor organization which are of public interest or concern in reaching an understanding as to the status of such organization, its relation to the State and to Society, and the methods best fitted to direct its potentialities toward the general good. No feature in the conduct of labor organizations generally has been omitted which would in any way affect the conclusions arrived at as regards their *public character*.

From the replies received to the above table of inquiries, Table No. 2 has been compiled, as also the tables thereafter following. Table No. 2 is designed to present as complete a directory or roster of the labor organizations of the State as it has been possible for us to compile from the information and data returned. It is not hoped that it is fully complete or correct. It is possible that some few of the organizations of the State have been omitted from it, and wherever such may be the case, we can only say that we exceedingly regret that it is so, and it has only occurred because we were unable, with diligent use of the means at our command, to get information concerning such organizations.

TABLE No. 2.

Association, Name, Location, and Local Number of Organization; Name and Address of Secretary; and Name of National Order Affiliated With.

Name of Organization.	Local No.	Where Located.	Name of Secretary.	Address of Secretary.	National Order Affiliated With.
Barbers' Association of Pacific Coast.	148	115 Turk St., San Francisco.	I. Less	36 Sixth St., San Francisco	I. B. U., Cleveland, O.
Barbers' Union.	134	102 O'Farrell St., San Francisco.	C. W. Presher	14th and Clay Sts., Oakland	I. B. U., Cleveland, O.
Barbers' International Union.		1013 Tenth St., Sacramento.	A. Oastex	823 Pacific St., San Fran.	I. Bakers' U., Cleveland, O.
French Bakers' Union	21	310 Pacific St., San Francisco.	L. Brower	112½ W. 34 St., L. Angeles	B. & Conf. I. U., Cleve., O.
German Bakers' Union	37	Los Angeles	C. H. Johnson	816 26th St., Sacramento	B. & Conf. I. U., Cleve., O.
Bakers' Union	85	1013 Tenth St., Sacramento	C. Rosberg	115 Turk St., San Fran.	B. & Conf. I. U., Cleve., O.
Journeyman Bakers' Union	24	115 Turk St., San Francisco	E. Koenig	1159 Mission St., San Fran.	N. U. B. W. of the U. S.
National Union of Brewery Workmen	7	1159 Mission St., San Francisco	A. R. Andre	1159 Mission St., San Fran.	N. U. B. W. of the U. S.
Bottlers' Union	102	1169 Mission St., San Francisco.	L. Kindel	32 Bay Front, San Diego.	Fed. of San Diego
Branch Union of Brewery Workmen	2	San José	E. Krugelsteiner	192 N. Utica St., L. Ang'ls	N. U. B. W. of the U. S.
Branch Union of Brewery Workmen	3	32 Bay Front, S. San Diego	L. G. Wolfe	765 Fifth St., Oakland	I. B. of Bookbinders
Branch Union of Brewery Workmen	6	Sacramento.	Chas. Hesse	820 W. 40th St., L. Angeles	
Branch Union of Brewery Workmen	7	122 N. Utica St., Los Angeles.	Robert Strehl	107 Florida St., Vallejo	Bollermakr Bro'd of Am.
Branch Union of Brewery Workmen	102	2113 O St., Sacramento.	Frank Henley	1710 14th St., Sacramento	
Beer-Drivers' Union.		121 Eddy St., San Francisco	W. E. Smith	335 27th St., San Fran.	B. C. and J. of America
Bookbinders' Prot. and Benev. Ass'n	63	102 O'Farrell St., San Francisco	J. J. Williams	518 Union St., San Fran.	B. C. and J. of America
Bookbinders' Union		820 W. Fortieth St., Los Angeles	Guy Lathrop	213 12th St., San Fran.	B. C. and J. of America
Bookbinders' Union		1013 Tenth St., Sacramento	J. E. Maneval	915½ Market St., San Fran.	B. C. and J. of America
Nat. Boot and Shoe Workers' Union.	216	San Francisco	Henry Conrad	915½ Market St., San Fran.	B. C. and J. of America
Bicycle Workers' Union		1058 Broadway, Oakland		2968 Harrison St., S. F.	
Boilermakers' Brotherh'd of America.	148	Vallejo			
Boilermakers' Brotherh'd of America.	25	Cambrian Hall, San Francisco.			
Boilermakers' Union.		1013 Tenth St., Sacramento			
Journeyman Butchers' Union		909½ Market St., San Francisco			
Brickhandlers' P. and B. Union		909 Market St., San Francisco	C. Wagner	47 Pierce St., San Fran.	
Bricklayers' Union		121 Eddy St., San Francisco			
Bricklayers' Union		1058 Broadway, Oakland			
Bricklayers' Union		1013 Tenth St., Sacramento			
Bricklayers' Union		1129½ W. Third St., Los Angeles			
U. B. C. and J. of America.	22	1333 Mission St., San Francisco			
U. B. C. and J. of America.	95	Stockton and Union Sts., S. F.			
U. B. C. and J. of America.	423	915½ Market St., San Francisco			
U. B. C. and J. of America.	483	915½ Market St., San Francisco			
U. B. C. and J. of America.	616	915½ Market St., San Francisco			
U. B. C. and J. of America.	904	1169 Mission St., San Francisco.			

U. B. C. and J. of America	194	Central Av. & Regents, Alam'da	J. E. Lewis	828 Oak St., Alameda	B. C. and J. of America
U. B. C. and J. of America	36	1058 Broadway, Oakland	R. Reed	1225 Chestnut St., Oakland	B. C. and J. of America
U. B. C. and J. of America	560	1058 Broadway, Oakland	R. M. Hamb	1829 Myrtle St., Oakland	B. C. and J. of America
U. B. C. and J. of America	332	112½ W. Third St., Los Angeles	E. J. Cole	1017 E. 7th St., L. Angeles	B. C. and J. of America
U. B. C. and J. of America	426	112½ W. Third St., Los Angeles	C. C. Ford	623 W. 37th St., L. Angeles	B. C. and J. of America
U. B. C. and J. of America	235	532 Market St., Riverside	W. S. Barber	532 Market St., Riverside	B. C. and J. of America
U. B. C. and J. of America	316	8th and Empire Sts., San José	W. Reinhold	8th & Empire Sts., S. José	B. C. and J. of America
U. B. C. and J. of America	162	San Mateo	Louis Huyke	San Mateo	B. C. and J. of America
U. B. C. and J. of America	35	San Rafael	L. Johnson	Box 194, San Rafael	B. C. and J. of America
U. B. C. and J. of America	180	573 Kentucky St., Vallejo	I. Christenson	573 Kentucky St., Vallejo	B. C. and J. of America
U. B. C. and J. of America	586	1013 Tenth St., Sacramento	C. C. Hall	1317 O St., Sacramento	B. C. and J. of America
Amalgamated Society of Carpenters		915½ Market St., San Francisco	L. M. Hosmer	416 17th St., Oakland	
Cigar-Packers' Union		539 California St., San Francisco	J. Ramon	729 Pine St., San Fran.	C. I. U. of America
Cigarmakers' Union	228	368 Jessie St., San Francisco	W. Rehker	1 Adler's Court, San Fran.	C. I. U. of America
Cigarmakers' Union	248	1 Adler's Court, San Fran.	H. E. Martens	813 E. Adams St., L. Angl's	C. I. U. of America
Cigarmakers' Union	225	Box 198, Sta. C., Los Angeles	M. W. Wagner	Box 7, Sacramento	C. I. U. of America
Cigarmakers' Union	238	Sacramento	T. Feeny	1106 24th St., Oakland	C. I. U. of America
Cigarmakers' Union	253	1106 24th St., Oakland	F. J. Hepp	Box 835, San José	C. I. U. of America
Cigarmakers' Union	291	Box 835, San José	F. C. Ferris	1039 4th St., San Diego	C. I. U. of America
Cigarmakers' Union	332	1039 Fourth St., San Diego	C. C. Bowman	928 Sutter St., Vallejo	C. I. U. of America
Cigarmakers' Union	373	Vallejo			
Cooks and Waiters' Union		1058 Broadway, Oakland	W. E. Collins	413 Stockton St., San Fran.	
Cooks' Ass'n of Pacific Coast		San Francisco	R. H. Wunderlich	32-c Rausch St., San Fran.	
Pacific Coast Waiters' Ass'n		413 Stockton St., San Francisco			
Cement-Workers' Union		915½ Market St., San Francisco	Chas. Boyarsky	627 Larkin St., San Fran.	Coopers' I. U. of N. Am.
Cement-Workers' Union		1058 Broadway, Oakland	A. Oberfeld	309 Third St., San Fran.	
Cloakmakers' Union		915½ Market St., San Francisco	Chas. Scholtz	915½ Market St., San Fran.	N. M. E. B. Ass'n
Confectioners' Union		115 Turk St., San Francisco	Wm. Warrin	36 East St., San Fran.	
Coopers' Union		102 O'Farrell St., San Francisco	W. M. Read	153 Second St., San Fran.	
Draymen and Teamsters' Union		121 Eddy St., San Francisco	E. A. Taylor	3664 19th St., San Fran.	G. I. B. of L. E.
Marine Engineers' Heney Ass'n		915½ Market St., San Francisco	J. B. Mathews	1423 Spruce St., Berkeley	G. I. B. of L. E.
Amalgamated Society of Engineers		36 East St., San Francisco	J. T. Kearney	2306 M. St., Sacramento	G. I. B. of L. E.
Brotherhood of Engineers	161	153 Second St., San Francisco	W. E. Blackman	1446 S. Fernando St., L. Angl's	G. I. B. of L. E.
Brotherhood of Locomotive Engineers	283	16th and Valencia Sts., S. F.	D. Freel	Box 98, Dunsuir	G. I. B. of L. E.
Brotherhood of Locomotive Engineers	110	7th and Peralta Sts., Oakland	G. G. Hutchings	Box 36, Kern	G. I. B. of L. E.
Brotherhood of Locomotive Engineers	5	Sacramento	T. Billingslea	317 Turk St., San Fran.	Order Ry. Conductors
Brotherhood of Locomotive Engineers	398	Main and Leroy Sts., L. Angeles	C. E. Honck	1145 E. 19th St., Oakland	Order Ry. Conductors
Brotherhood of Locomotive Engineers	418	I. O. O. F. Hall, S. Bernardino	Geo. W. Lewis	1031 E St., Sacramento	Order Ry. Conductors
Brotherhood of Locomotive Engineers	415	Rocklin			
Brotherhood of Locomotive Engineers	425	Box 98, Dunsuir			
Brotherhood of Locomotive Engineers	126	Box 36, Kern			
Order of Railway Conductors	115	120 O'Farrell St., San Francisco			
Order of Railway Conductors	364	Oakland			
Order of Railway Conductors	195	Sacramento			

TABLE No. 2.—Continued.

Name of Organization.	Local No.	Where Located.	Name of Secretary.	Address of Secretary.	National Order Affiliated With.
Order of Railway Conductors	111	107½ N. Main St., Los Angeles.	J. W. Benjamin.	Box 985, Los Angeles.	Order Ry. Conductors
Order of Railway Conductors	282	Needles	C. H. Richardson	Box 19, Needles.	Order Ry. Conductors
Brotherhood of Locomotive Firemen	143	7th and Peralta Sts., Oakland	J. A. Negrich	1596½ 10th St., W. Oakland	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	260	Sacramento	E. E. Anderson	418 8th St., Sacramento.	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	90	Los Angeles	J. E. Bass	794 Central Ave., Los Ang.	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	97	Los Angeles	N. O. Stafford	123 North Ave., Los Ang.	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	91	16th and Valencia Sts., S. F.	R. J. Dugan	238 N. River St., San José	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	58	Rocklin	C. L. Deming	Box 86, Rocklin.	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	139	Box 48, Kern	A. M. McArthur	Box 48, Kern	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	312	Dunsmuir	E. J. Franklin	Dunsmuir	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	314	San Bernardino.	H. F. Eberhart	166 I St., San Bernardino.	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	386	San Diego	D. L. Marrs	957 Columbia St., San Diego	Grand Lodge, B. L. F.
Brotherhood of Locomotive Firemen	327	Needles	D. Bristol	Box 27, Needles	Grand Lodge, B. L. F.
Brotherhood of Railroad Trainmen	198	120 O'Farrell St., San Francisco	J. A. Lane	1612 Turk St., San Fran.	Grand Lodge, B. L. F.
Brotherhood of Railroad Trainmen	71	Oakland	G. B. McClellan	1515 Eighth St., Oakland.	B. of R. T.
Brotherhood of Railroad Trainmen	73	Kern	H. B. Buck	K. of P. Hall, Kern	B. of R. T.
Brotherhood of Railroad Trainmen	74	Los Angeles	W. C. Auble	458 Colyton St., Los Ang.	B. of R. T.
Brotherhood of Railroad Trainmen	278	San Bernardino.	G. L. Barrows	Davis Hall, San Berdino.	B. of R. T.
Brotherhood of Railroad Trainmen	340	1529 Eighth St., Sacramento	Wm. J. O'Brien.	1529 8th St., Sacramento	B. of R. T.
Brotherhood of Railroad Trainmen	420	Stockton	W. A. Thomas.	Occidental Hotel, Stockt'n	B. of R. T.
Brotherhood of Railroad Trainmen	430	Needles	F. C. Reedy	Needles	B. of R. T.
Brotherhood of Railroad Trainmen	458	Dunsmuir	J. B. Duncan	Box 55, Dunsmuir	B. of R. T.
Order of Railroad Telegraphers	53	San Francisco	B. A. Meyer	Station L., San Francisco.	Order of Ry. Tel.
Marine Firemen's Union		46 Stewart St., San Francisco	John Bell	46 Stewart St., San Fran.	
Int'l Brotherhood Electrical Workers	61	112½ W. Third St., Los Angeles	M. B. Davidson.	627 Crocker St., Los Ang.	A. F. of Labor
Int'l Brotherhood Electrical Workers	6	120 O'Farrell St., San Francisco.	A. E. Yoell	657 Stevenson St., S. F.	Central Lodge
Int'l Brotherhood Electrical Workers	36	Sacramento	C. W. Beanton.	716 P St., Sacramento	
Int'l Brotherhood Electrical Workers	61	Los Angeles	H. J. Francis	1816 Michigan Ave., L. A.	
Int'l Brotherhood Electrical Workers	64	Oakland	H. P. Ren-ton	867 19th St., Oakland	
Glassblowers' Union	3	B. B. Hall, San Francisco	B. B. Hall	San Francisco	
Granite-Cutters' Union		1169 Mission St., San Francisco.	J. J. Casey	62 Julian Ave., San Fran.	National body
Garment-Workers' Union		1068 Broadway, Oakland			
Horseshoers' Union		102 O'Farrell St., San Francisco			
'Longshoremen's Union		249 H St., San Diego	J. Robertson	249 H St., San Diego	
'Longshoremen's S. F. Prof. Ass'n		East and Mission Sts., S. F.	J. J. Farris	547 Howard St., San Fran.	
'Longshoremen's Union		1056 Broadway, Oakland			
Laborers' Protective Association		1169 Mission St., San Francisco.			
Laborers and Hod-Carriers' Union		819 Howard St., San Francisco.	W. O'Donnell	261 Minna St., San Fran.	
Lathers' Union		1058 Broadway, Oakland			

Lathers' Union (wood, wire & metal)	Los Angeles	Chas. M. Krieger	317 Valencia St., S. F.	L. I. P. B. Ass'n of U. S.
Lithographers' Union	Alcazar Bldg., San Francisco	J. E. Riordan	638-a Jessie St., San Fran.	Int'l L'gsh'mns Ass'n
Longshore Lumbermen's Prot. Ass'n	1133 Mission St., San Francisco	J. H. Halloran	Second and C Sts., Eureka	
Longshore Lumbermen's Prot. Ass'n	1133 Mission St., San Francisco			
Manel, Grate, and Tile-Setters' Union	915 1/2 Market St., San Francisco			
Marble Cutters and Finishers' Union	526 Montgomery St., S. F.	August Iken	526 Montgomery St., S. F.	
Milkers' Protective Association	142 Main St., Los Angeles	J. D. Reymert	17 Law Block, Los Ang.	A. F. of Labor
Milkers' Protective Association	918 J St., Sacramento			
Milkers' Protective Association	Alcazar Bldg., San Francisco	Jas. Maginnis	464 Page St., San Fran.	I. A. of Machinists
Machinists' Int'l Association	Vallejo	Wm. Linn	Box 166, Vallejo	I. A. of Machinists
Machinists' Int'l Association	San Bernardino	Wm. Brassington	Box 155, San Bernardino	I. A. of Machinists
Machinists' Int'l Association	127 N. Main St., Los Angeles	W. C. Wells	418 S. Sichel St., Los Ang.	M. P. B. P. & B. I. U.
Machinists' Int'l Association	1133 Mission St., San Francisco	J. J. O'Brien	749 Howard St., San Fran.	
Metal Buffers and Polishers' Union	909 Market St., San Francisco			
Metal-Workers' Union	121 Eddy St., San Francisco	T. W. Madden	1949 McArthur St., S. F.	A. S. M. W. Int'l Assn
Miners' Western Federation	Bodie, Mono County	A. D. Redding	Western Fed. Miners	Western Fed. Miners
Miners' Western Federation	Confidence, Tuolumne County	H. Mitchell	Confidence, Tuolumne Co.	Western Fed. Miners
Miners' Western Federation	Grass Valley, Nevada County	M. M. Mitchell	Grass Valley	Western Fed. Miners
Miners' Western Federation	Hedges, San Diego County	J. A. Vaughn	Hedges, San Diego Co.	Western Fed. Miners
Miners' Western Federation	Mojave	Thos. Morrissey	Mojave	Western Fed. Miners
Miners' Western Federation	Randsburg	G. W. Andrews	Randsburg	Western Fed. Miners
Miners' Western Federation	Quartz Mountain, Tuolumne Co.	W. G. Herman	Quartz Mt., Tuol. Co.	Western Fed. Miners
Miners' Western Federation	Big Oak Flat	R. W. Byrn	Big Oak Flat	Western Fed. Miners
Musicians' Mutual Protective Union	421 Post St., San Francisco	S. Davis	421 Post St., San Francisco	A. F. of Musicians
Musicians' Mutual Protective Union	912 Fourteenth St., Sacramento	E. A. Platt	912 14th St., Sacramento	A. F. of Musicians
Musicians' Mutual Protective Union	220 1/2 S. Main St., Los Angeles	J. Green	Box 506, Los Angeles	A. F. of Musicians
Musicians' Mutual Protective Union	Broadway, Oakland	Ed. L. Merritt	Kohler & Chase, Bldwy, Oak.	A. F. of Musicians
Molders' Union	1133 Mission St., San Francisco	W. P. McCabe	212 12th St., San Francisco	I. M. I. U. of N. A. & C.
Molders' Union	1013 Tenth St., Sacramento		Vallejo	I. M. I. U. of N. A. & C.
Molders' Union	Vallejo	Frank Roney		
Molders' Union	Los Angeles			
Newsboys' Union	102 O Farrell St., San Francisco	Walter Luke	119-e 6th St., San Fran.	P. D. & P. Bro. of Am.
Newspaper-Carriers' Union (S. F.)	909 Market St., San Francisco			
Painters, Decorators, etc., Bro. of Am.				
Painters, Paperhangers, & Frescoers	Brotherhood of America	A. Park	915 1/2 Market St., S. F.	P. D. & P. Bro. of Am.
Painters' (sign and pict.) Bro. of Am.	20 Eddy St., San Francisco	C. H. Tupper	512 Waller St., San Fran.	P. D. & P. Bro. of Am.
Painters' (varn. and pol.) Bro. of Am.	915 1/2 Market St., San Francisco	W. M. Page	7 Morris Ave., San Fran.	P. D. & P. Bro. of Am.
Painters' Brotherhood of America	1068 Broadway, Oakland	W. H. Macrimmon	Shasta Hotel, Oakland	P. D. & P. Bro. of Am.
Painters' Brotherhood of America	117 Turk St., San Francisco	F. K. Burkhardt	437 Grove St., San Fran.	P. D. & P. Bro. of Am.
Painters' Brotherhood of America	Pasadena			
Patternmakers' Union	55 Third St., San Francisco	R. J. Raymond	3227 21st St., San Fran.	P. L. of N. M.
Plasterers' Union	927 Mission St., San Francisco			
Plasterers' Union (contracting)	40 New Montgomery St., S. F.	Geo. W. Glosser	1619 Eddy St., San Fran.	
Plasterers' Union	1068 Broadway, Oakland			

TABLE No. 3—Continued.

Name of Organization.	Local No.	Where Located.	Name of Secretary.	Address of Secretary.	National Order Affiliated With.
Plasterers' International Association.	2	112½ W. Third St., Los Angeles.	H. D. Maloney	892 E. 47th St., Los Ang.	..... O. P. Int'l Ass'n
Pavers' Union (Pacific Coast).		120 Ninth St., San Francisco	J. McGhinley	530½ Ninth St., S. F.	
Printing Pressmen's and Assistants' Union of N. A. (International).	24	23 Davis Street, San Francisco.	Jos. C. Cotter	23 Davis St., San Fran.	I. P. P. & A. U. of N. A.
Printing Pressmen's (Web Pressmen)	4	208 Diamond St., San Francisco.	Harry Meiran	208 Diamond St., S. F.	I. P. P. & A. U. of N. A.
Printing (Feeders and Helpers) Union of N. A.	37	1003 Bartlett St., Los Angeles.	A. L. Tournoux	1003 Bartlett St., Los Ang.	I. P. P. & A. U. of N. A.
Printing Pressmen's Union of N. A.	78	124½ W. Third St., Los Angeles.	Benson Stead	517 Hancock St., Los Ang.	I. P. P. & A. U. of N. A.
Printing Pressmen's Union of N. A.	60	Tenth St., bet. J. & K, Sacram'to.	P. T. Johnston	1621 F St., Sacramento	I. P. P. & A. U. of N. A.
Printers' Prot. Fraternity	33	"Times" Office, Los Angeles	W. A. Rennie	"Times" Office, Los Ang.	I. P. P. Fraternity
Photo-Engravers' Union (S. F.)	1	San Francisco.	Thos. Wall	2314 Mission St., S. F.	Int'l Typogr'cal Union
Pile-Drivers & Bridge-Builders' Union.		26 Sacramento St., S. F.	J. V. Beck	922 Natoma St., S. F.	
Plumbers' G. & S. F. Ass'n (Jour.)	69	Alcazar Building, S. F.			
Plumbers' Union.		Alcazar Building, S. F.			
Plumbers' Union.		1013 Tenth St., Sacramento.	Geo. Stevenson	1371 N. Broadway, Oakld.	
Plumbers' Union of Alameda County.		1058 Broadway, Oakland	T. J. Bishop	Box 568, Los Angeles.	
Plumbers' G. & S. Fitters (Jour.)	78	Box 568, Los Angeles			
Rammers' Union.		Hibernia Hall, San Francisco.			
Riggers and Stevedores' Union.		808 Montgomery St., S. F.			
Sailors' Union of the Pacific		East and Mission Sts., S. F.	A. Furuseth	San Francisco	I. S. U. of Am.
Sailors' Union of the Pacific		Eureka, Humboldt County	F. Faucher	Box 327, Eureka	I. S. U. of Am.
Sailors' Union of the Pacific		Box 1756, San Pedro.	H. Ohlson	Box 1756, San Pedro.	I. S. U. of Am.
Sailors' Union of the Pacific		Box 51, San Diego.	J. Card	Box 51, San Diego	I. S. U. of Am.
Ship and Steamboat Joiners' Union.		14 Folsom St., San Francisco	T. Westoby	14 Folsom St., San Fran.	Am. Fed. of Labor
Shipwrights' Union (Journymen)		320 Post St., San Francisco.			
Shipwalkers' Association.		Steuart & Mission Sts., S. F.	S. M. Taylor	55 Mission St., San Fran.	
Shipjoiners' Protective Association.		Sacramento Street, Vallejo	T. Muirhead	Sacramento St., Vallejo	Federated Trades
Sailmakers' Union		121 Eddy St., San Francisco	M. C. Hencken	1368 Vallejo St., San Fran.	
Scavengers' Protective Union		423 Broadway, San Francisco			
Surveyors' Association (Lumber)		9 Mission St., San Francisco.			
Stereotypers' Union.	20	14 Third St., San Francisco.	Emile Dengle	"Examiner" Office, S. F.	Int'l Typogr'cal Union
Stone-Cutters' Ass'n of N. A. (Jour.)		915½ Market St., San Francisco.	W. Drennan	915½ Market St., S. F.	J. S. A. of N. Am.
Stone-Cutters' Ass'n of N. A. (Jour.)		Box 8, Santa Barbara	Thomas B. Lee	Box 8, Santa Barbara	J. S. A. of N. Am.
Tailors' Prot. & Benev. Union (Jour.)		421 Post St., San Francisco.	Edw. Helquist	706 Hyde St., San Fran.	
Tailors' Union (Ladies')		115 Turk St., San Francisco			
Tailors' Union		220½ B. Main St., Los Angeles.			
Tailors' Union		1058 Broadway, Oakland			
Typographical Union.	22	589 California St., San Francisco			
Typographical Union	21	533 Kearny St., San Francisco	H. L. White	533 Kearny St., San Fran.	Int'l Typogr'cal Union

Typographical Union	207	Eureka	J. M. Speegle	Box 398, Eureka	Int'l Typogr'cal Union
Typographical Union	144	Fresno City	I. C. Hodge	Franklin Pkg. Co., Fresno	Int'l Typogr'cal Union
Typographical Union	174	Box 570, Los Angeles	R. S. Woodside	Box 570, Los Angeles	Int'l Typogr'cal Union
Typographical Union	223	Marysville	E. E. Grover	Carey Appeal, Marysville	Int'l Typogr'cal Union
Typographical Union	36	371 Eleventh St., Oakland	C. E. Backus	1072 E. 17th St., E. Oakland	Int'l Typogr'cal Union
Typographical Union	254	441 Corner St., Riverside	Willis Hallock	441 Corner Ave., Riverside	Int'l Typogr'cal Union
Typographical Union	46	1013 Tenth St., Sacramento	Tom A. Cody	Box 322, Sacramento	Int'l Typogr'cal Union
Typographical Union	84	San Bernardino	Sydney Waite	Box 876, San Bernardino	Int'l Typogr'cal Union
Typographical Union	221	San Diego	B. A. Neff	Box 328, San Diego	Int'l Typogr'cal Union
Typographical Union	56	Stockton	S. B. Coates	Box 140, Stockton	Int'l Typogr'cal Union
Typographical Union	231	San José	J. Marr	San José	Int'l Typogr'cal Union
Theatrical Employees' Prot. Union	16	414 Mason St., San Francisco	Carl Taylor	414 Mason St., San Fran.	N. A. T. S. Employes
Theatrical Employees' Prot. Union	33	Los Angeles	Chas. E. Feehan	Box 799, Los Angeles	N. A. T. S. Employes
Theatrical Employees' Prot. Union	50	521 K St., Sacramento	Max Ginsberg	521 K St., Sacramento	N. A. T. S. Employes
Amalgamated Woodworkers		San Francisco	Henry Thierer	821 Hampshire St., S. F.	N. A. T. S. Employes

By Table No. 2 it appears that there are within the State 217 distinct lodges or bodies of organized labor, of which 90, or about 41 per cent, are located in San Francisco; 26, or about 12 per cent, in Los Angeles; 23, or about 10 per cent, in Oakland; 20, or about 9 per cent, in Sacramento; 6 in San Diego, 5 in Vallejo, 5 in San José, and the remainder scattered among various localities throughout the State.

By the said table it appears, again, that some 81 distinct avocations or callings are represented among the labor organizations in question, and, so far as data were given, that about 127 of such organizations are affiliated with central national or international organizations. I say so far as data were given; as it must be noted that from some of the organizations which are undoubtedly thus affiliated with national bodies no returns were received.

It not being possible to, in one table, include all the statistical details which it is desired to present, the local number of the organization has, in each case where given, been repeated in each following table, to the end that where it is desired to refer to all the data respecting any one lodge or organization, such organization can be readily referred to in each respective table.

Of the said 217 organizations, 136, or about 62 per cent, gave returns more or less complete. Bearing in mind my remarks in the introduction to this report relative to the difficulty of obtaining replies to statistical inquiries, it will be seen that this is a surprisingly high percentage of returns, and testifies to the interest felt by the membership of Organized Labor in such matters.

Table No. 3 shows the membership, numerically, of the respective organizations on May 1, 1900 (so far as data relating thereto were received), the per cent of increase or decrease therein since June 1, 1896, and the percentage of the workers of the respective avocations, in the vicinity, who are members of the organization reporting.

TABLE No. 3.

Name of Organization.	Local No.	Total Membership May 31, 1900.	Per Cent of Increase in Membership Since June 1, 1896.	Per Cent of Decrease in Membership Since June 1, 1896.	Percentage of Workers in Same Avocation in Vicinity who are Members.
Barbers' Association of Pacific Coast.....					
Barbers' Union.....	148	62		25	25
Barbers' International Union.....	134				25
Barbers' Union.....					
Bakers' Union (French).....	29	29			
Bakers' Union (German).....	21				
Bakers' Union.....	37	25	5		50
Bakers' Union.....	85	35			100
Bakers' Union (Journeymen).....	24	35			
Brewery Workmen (National Union).....	7	580	300		100
Bottlers' Union.....	102	108			80

TABLE No. 3—Continued.

Name of Organization.	Local No.	Total Membership May 31, 1900	Per Cent of Increase in Membership Since June 1, 1896	Per Cent of Decrease in Membership Since June 1, 1896	Percentage of Work- ers in Same Avoc- ation in Vicinity who are Members
Branch Union of Brewery Workmen	2				
Branch Union of Brewery Workmen	3	4			
Branch Union of Brewery Workmen	6				
Branch Union of Brewery Workmen	7				
Branch Union of Brewery Workmen	102	18			
Beer-Drivers' Union					
Bookbinders' Protective and Benevolent Ass'n.		40		30	40
Bookbinders' Union	63	15			100
Bookbinders' Union					
Boot and Shoe Workers' National Union	216				
Bicycle-Workers' Union					
Boilermakers' Brotherhood of America	148	81	50		100
Boilermakers' Brotherhood of America	25				
Boilermakers' Union					
Butchers' Union (Journeymen)					
Brickhandlers' Protective and Benev. Union					
Bricklayers' Union		225			100
Bricklayers' Union					
Bricklayers' Union		28	10		96
Bricklayers' Union					
Carpenters and Joiners of America—U. B.	22	752	15		90
Carpenters and Joiners of America—U. B.	95	33			
Carpenters and Joiners of America—U. B.	423	295			90
Carpenters and Joiners of America—U. B.	483	400			95
Carpenters and Joiners of America—U. B.	616	40		2	75
Carpenters and Joiners of America—U. B.	304	93			95
Carpenters and Joiners of America—U. B.	194	36			50
Carpenters and Joiners of America—U. B.	36	304	30		
Carpenters and Joiners of America—U. B.	550	150			75
Carpenters and Joiners of America—U. B.	332	43		85	25
Carpenters and Joiners of America—U. B.	426	134	75		25
Carpenters and Joiners of America—U. B.	235	25			50
Carpenters and Joiners of America—U. B.	316	85			85
Carpenters and Joiners of America—U. B.	162	53			100
Carpenters and Joiners of America—U. B.	35	37			95
Carpenters and Joiners of America—U. B.	180				
Carpenters and Joiners of America—U. B.	586	30			40
Carpenters—Amalgamated Society of					
Carpenters—Shinglers' Union	26				80
Cigar-Packers' Union					
Cigarmakers' Union	228	250		20	95
Cigarmakers' Union	248	9			10
Cigarmakers' Union	225	45	25		90
Cigarmakers' Union	238	59			67
Cigarmakers' Union	258	42	5		90
Cigarmakers' Union	291	36			80
Cigarmakers' Union	332	18			100
Clerks' International Protective Association	373	24	25		75
Cooks and Waiters' Union					
Cooks' Association—Pacific Coast					
Coast (Pacific) Waiters' Association		450	75		50
Cement-Workers' Union		350	100		100
Cement-Workers' Union					
Cloakmakers' Union		70	20		75
Confectioners' Union					
Coopers' Union		138			66
Draymen and Teamsters' Union					
Derrickmen and Engineers' Union		104			100
Engineers' Benevolent Association, Marine		800			
Engineers, Amalgamated Society of				1	
Engineers, Brotherhood of Locomotive	161	50	1		98
Engineers, Brotherhood of Locomotive	283	145			98
Engineers, Brotherhood of Locomotive	110	60			95
Engineers, Brotherhood of Locomotive	5	103			97

TABLE No. 2—Continued.

Name of Organization.	Local No.	Total Membership May 31, 1900	Per Cent of Increase in Membership Since June 1, 1895	Per Cent of Decrease in Membership Since June 1, 1895	Percentage of Work- men in Same Avoca- tion in Vicinity who are Members.
Engineers, Brotherhood of Locomotive	398	50			
Engineers, Brotherhood of Locomotive	415	35			
Engineers, Brotherhood of Locomotive	425	30			
Engineers, Brotherhood of Locomotive	128	46			97
Electrical Workers, Intern'l Brotherhood of	61	125	130		75
Electrical Workers, Intern'l Brotherhood of	6		50		75
Electrical Workers, Intern'l Brotherhood of	36				
Electrical Workers, Intern'l Brotherhood of	64				
Order of Railway Conductors	115	91		20	95
Order of Railway Conductors	364				
Order of Railway Conductors	195				
Order of Railway Conductors	111	134			90
Order of Railway Conductors	282				95
Firemen, Brotherhood of Locomotive	143	58	300		45
Firemen, Brotherhood of Locomotive	260				
Firemen, Brotherhood of Locomotive	90				
Firemen, Brotherhood of Locomotive	97				
Firemen, Brotherhood of Locomotive	91	45	50		10
Firemen, Brotherhood of Locomotive	58	37	500		90
Firemen, Brotherhood of Locomotive	189	79			80
Firemen, Brotherhood of Locomotive	312				
Firemen, Brotherhood of Locomotive	314		100		80
Firemen, Brotherhood of Locomotive	386	17	30		90
Firemen, Brotherhood of Locomotive	327				
Brotherhood of Railroad Trainmen	198	70	50		75
Brotherhood of Railroad Trainmen	71				
Brotherhood of Railroad Trainmen	73				
Brotherhood of Railroad Trainmen	74				
Brotherhood of Railroad Trainmen	278				
Brotherhood of Railroad Trainmen	340	95	80		98
Brotherhood of Railroad Trainmen	420	28			90
Brotherhood of Railroad Trainmen	430	38	25		90
Brotherhood of Railroad Trainmen	458				
Order of Railroad Telegraphers	58		400		80
Firemen's Union, Marine		1,080			
Glassblowers' Union	3				
Granite-Cutters' Union		63			40
Garment-Workers' Union					
Horseshoers' Union					
'Longshoremen's Union		90			5
'Longshoremen's San Francisco Prot. Ass'n		550	100		50
'Longshoremen's Union					
Laborers' Protective Association		200		25	95
Laborers and Hod-Carriers' Union					
Lathers' Union					
Lathers' Union (Wood, Wire, and Metal)					
Lithographers' Union	17	52			
'Longshore Lumbermen's Protective Ass'n		784			90
'Longshore Lumbermen's Protective Ass'n		85	50		70
Mantel, Grate, and Tile-Setters' Union					
Marble Cutters and Finishers' Union					
Milkers' Protective Association		430			90
Milkers' Protective Association		50			95
Milkers' Protective Association					
Machinists' International Association	68	500	20		30
Machinists' International Association	252				
Machinists' International Association	15				
Machinists' International Association	311	30			12
Metal Buffers and Polishers' Union		84			100
Metal-Roofers' Union					
Metal-Workers' Union (Amalgamated Sheet)	104	30			95
Miners' Western Federation	61	130	16		95
Miners' Western Federation	47	60			

TABLE No. 3—Continued.

Name of Organization.	Local No.	Total Membership May 31, 1900.....	Per Cent of Increase in Membership Since June 1, 1896.	Per Cent of Decrease in Membership Since June 1, 1896.	Percentage of Work- ers in Same Area- tion in Vicinity who are Members.
Miners' Western Federation.....	90	500			
Miners' Western Federation.....	70	51			
Miners' Western Federation.....	51				
Miners' Western Federation.....	44	215			90
Miners' Western Federation.....	73				
Miners' Western Federation.....	39	68			60
Musicians' Mutual Protective Union.....		510			75
Musicians' Mutual Protective Union.....					
Musicians' Mutual Protective Union.....					
Musicians' Mutual Protective Union.....					
Molders' Union of America.....	164	355	100		98
Molders' Union of America.....	199				
Molders' Union of America.....	164-br.				90
Newsboys' Union.....					
Newspaper-Carriers' Union, San Francisco.....					
Painters, Decorators, etc., Bro. of America.....	73	550			40
Painters Paperhangers, and Fresco. Bro. of Am.....	131	115	50		75
Painters' (Sign and Picture) Bro. of America.....	132	57			57
Painters' (Varn. and Pol.) Bro. of America.....	134	93	30		80
Painters' Brotherhood of America.....	127	200			95
Painters' Brotherhood of America.....	136				
Painters' Brotherhood of America.....	92				
Patternmakers' Union.....		74	100		70
Plasterers' Union.....					
Plasterers' Union (Contracting).....		47			75
Plasterers' Union.....					
Plasterers' International Association.....	2	28		14	
Pavers' Union (Pacific Coast).....		35	3		75
Printing Pressmen's and Assistants' Union.....	24				
Printing Pressmen's Union of North America.....	4				
Printing (Feeders and Helpers) Union.....	37	25			95
Printing Pressmen's Union of North America.....	78	23			
Printing Pressmen's Union of North America.....	60	24		25	95
Printers' Protective Fraternity.....	33	53			50
Photo-Engravers' Union.....		40	50		95
Pile-Drivers and Bridge-Builders' Union.....	1	325			90
Plumbers, Gas and Steam Fitters' Ass'n.....	69				
Plumbers' Union.....					
Plumbers' Union.....					
Plumbers' Union, Alameda County.....		70			
Plumbers, Gas and Steam Fit'rs' (Jour.) Union.....	78	39		50	60
Rammers' Union.....					
Riggers and Stevedores' Union.....					
Sailors' Union of the Pacific.....					
Sailors' Union of the Pacific.....					
Sailors' Union of the Pacific.....					
Sailors' Union of the Pacific.....					
Ship and Steamboat Joiners' Union.....		167			
Shipwrights' Union (Journeymen).....					
Shipcalkers' Association.....		148			95
Shipjoiners' Protective Association.....		57			75
Sailmakers' Union.....		79			
Scavengers' Protective Union.....					
Surveyors' Association (Lumber).....					
Stereotypers' Union.....	29	42	5		100
Stone-Cutters' Association of North America.....		118	10		100
Stone-Cutters' Association of North America.....		14			60
Tailors' Protective and Benevolent Union.....		300	45		95
Tailors' Union (Ladies').....					
Tailors' Union.....					
Tailors' Union.....					
Typographical Union.....					
Typographical Union.....	21	525			70
Typographical Union.....	207	14			100

TABLE No. 3—Continued.

Name of Organization.	Local No.	Total Membership May 31, 1900.....	Per Cent of Increase In Membership Since June 1, 1896..	Per Cent of Decrease In Membership Since June 1, 1896..	Percentage of Work- ers in Same Avoca- tion in Vicinity Who are Members.
Typographical Union.....	144				
Typographical Union.....	174	125			90
Typographical Union.....	223				
Typographical Union.....	36	118	25		80
Typographical Union.....	254	10			90
Typographical Union.....	46	86			100
Typographical Union.....	84				
Typographical Union.....	221				
Typographical Union.....	56	36			100
Typographical Union.....	231				
Theatrical Employés' Protective Union.....	16	102		1	100
Theatrical Employés' Protective Union.....	33				
Theatrical Employés' Protective Union.....	50	31			
Amalgamated Woodworkers.....					

In connection with Table No. 2 it has been noted that of the 217 labor organizations in the State, 136 gave returns. Of the said 136, it appears by Table No. 3 that 120 reported membership as existing May 31, 1900; and that, for the number thus reporting, an aggregate membership of 17,090 is given, which, roughly approximating, justifies a belief that there are, in round numbers, not less than 30,000 wage-earners within the State who are members of labor organizations.

Table No. 3 reveals that the percentage of the wage-earners belonging to an organization in any given avocation and locality, while ranging all the way from 5 to 100, is in most instances given as between 75 and 100 per cent, and justifies the belief that a fair average approximate of such percentage would be 80; which in turn justifies the belief that there are, as wage-earners, in the several avocations represented in Table No. 2, within this State, about 37,500 persons. In connection herewith, however, allowance must be made for the fact that workers, in the several avocations, few in the individual case, but many in the aggregate, are found scattered over the State, remote from the centers of industry, and, usually, not members of labor organizations; and the result of such allowance is twofold: First, that it increases the percentage of wage-earners who are not members of labor organizations; not to a large, but to some, extent. Second, it increases the aggregate number of workers employed in the respective avocations; or, that is to say, the estimate thereof.

Now, again: San Francisco, as naturally would be expected, appears as the labor organization center of the State. Table No. 2 shows that about 41 per cent of the organizations of the State are there located, and an analysis of Table No. 3 shows that the said organizations

located in San Francisco include in their membership about 20,000 persons, or some 66 per cent of the entire labor organization membership of California. This conclusion is reached by figuring from the aggregate membership of the San Francisco organizations reporting membership, which aggregate is found to be some 12,285 members (55 organizations reporting). In connection, however, with such membership in San Francisco, should be noted the fact that of the organizations there located, the membership of the Marine Firemen's Union (1,080), of the Marine Engineers' Association (800), and of the Coast Seamen's Union (not reported, but large in the aggregate), is scattered to all parts of the coast, or possibly, of the world.

Oakland has, approximately (figured from the same basis as in the case of San Francisco), some 3,000 members of labor organizations; Los Angeles, some 2,100; Sacramento, about 1,000; San José, about 300; Vallejo, about 275; and San Diego, about 160. The remainder of such membership in the State is scattered among various localities other than the points named.

Another feature revealed by Table No. 3, which is gratifying to the friends of Organized Labor, is the fact that in almost every case of reported change of membership between June 1, 1896, and May 31, 1900, the change has been toward increase and improvement. In reaching a conclusion as to the percentage of wage-earners in the State who are members of labor organizations (including in the term "wage-earners" all who in any capacity work for wages), consideration must be given to an important circumstance, namely, that it is only in some lines of industry that labor is organized at all. Labor organization is found to flourish best among those avocations requiring skill, and considerable training to become fitted therefor, or which peculiarly require more than ordinary physical endurance, etc. The great army of unskilled, or, as it is more ordinarily termed, common labor, is unorganized; and this is true, too, of a vast array of wage-earners whose work is in its nature clerical. The labor of the farms, of the orchards, of the vineyards, and of the orange groves knows no organization; which brings us to the proposition that while in certain avocations the percentage of labor belonging to organization, as compared with the entire labor engaged in such avocation, is large, the percentage of labor organized, when compared with the entire labor of the State, remains still but small.

TABLE No. 4.

Name of Organization.	Local Number.....	Number of Hours per Day's Work Required May 31, 1900, of Workers who were Members of the Organization.....	Number of Hours per Day's Work Required May 31, 1900, of Workers who were Not Members of the Organization.	Rate of Wages per Diem May 31, 1900, of Workers in Avocation who were Members of the Organization.....	Rate of Wages per Diem May 31, 1900, of Workers in Avocation who were Not Members of the Organization.....	Decrease in Number of Hours per Day's Work Since June 1, 1896.....	Increase in Numbers of Hours per Day's Work Since June 1, 1896.....	Increase in Rate of Wages per Diem Since June 1, 1896.....	Decrease in Rate of Wages per Diem Since June 1, 1896.....	Number of Members Steadily Employed during Quarter Next Prior to May 31, 1900.....	Average Number of Days per Month of Enforced Idleness during Quarter Next Prior to May 31, 1900.....	Condition of Avocation Generally, as Regards Employment therein.....
								Pr Ct.	Per Cent.	Per Cent.		
Barbers' Association of Pacific Coast.....	148	14-18	14-18	\$2 00c	\$1 65				21	100		
Barbers' Union.....	134	12-14	15	2 15c								
Barbers' International Union.....												
Barbers' Union.....		12		1 50c	1 50c					90	0	Good
Bakers' Union (French).....	21											
Bakers' Union (German).....	37	12	12-18	2 00	2 00				20	95	1	
Bakers' Union.....	85	10		2 00						95	0	
Bakers' Union (Journymen).....	24											
Brewery Workmen (National Union).....	7	9		2 66	1 75					80	1	
Bottlers' Union.....	102	9	11	1 91	1 50					90	9	
Branch Union of Brewery Workmen.....	2											
Branch Union of Brewery Workmen.....	3	9		1 65	1 65					100		
Branch Union of Brewery Workmen.....	6											
Branch Union of Brewery Workmen.....	7											
Branch Union of Brewery Workmen.....	102	10		1 85								
Beer-Drivers' Union.....												
Bookbinders' Protective and Benevolent Association.....		10		3 50	2 75					95		
Bookbinders' Union.....	63	9	9	3 00	3 00	1				90	0	
Bookbinders' Union.....												
Boot and Shoe Workers' National Union.....	216											
Bicycle-Workers' Union.....												
Boilermakers' Brotherhood of America.....	148	8		3 60								
Boilermakers' Brotherhood of America.....												
Boilermakers' Union.....	25									50		

Table No. 4, in its tabulation of returns received regarding the general condition of avocations at the present time, in comparison with conditions prevailing in 1896, as regards decrease in hours of labor, and increase in rate of wages per diem, steadiness of employment, etc., gives information that is in the main very gratifying.

The numerous instances of increase in rate of wages as compared with instances of decrease; the numerous instances of decrease in hours of labor as compared with instances of increase; the high percentage, in most instances, of members steadily employed; the comparatively low percentage of days of enforced idleness; and the preponderance of "fair to good" over "bad" conditions reported, all make an exhibit which can be but pleasing, and which we hope may long continue without change, showing, as it does, the generally improved and prosperous condition of wage-earners in the State of California in 1900, as compared with their condition in 1896.

A further analysis of Table No. 4 reveals facts which speak with eloquence in favor of the policy of organization among those who work for wages. The uniformly fewer hours (per day's work) of workers in an avocation, who are members of the organization, as compared with the hours of workers who are not members, and the almost uniformly higher pay of those members, as compared with those who are not members, can but be convincing as regards the proposition that labor organization, properly conducted, is beneficial to the worker. Nor do the figures themselves, on their face, tell the entire story; for they do not reveal (what is known generally to those closely conversant with such matters) that the influence of labor organization, in the locality or avocation in which it exists, improves, in almost every case, the wages and condition of unorganized workers, and often in an avocation obtains for them the same benefits that accrue to organization members; and, scanning Table No. 4, it may be believed in almost every case in which unorganized workers in an avocation appear as receiving the same wages, etc., as do those organized, that it is the organization which has made better conditions for all; and that all—the unorganized as well as the organized—are receiving better wages and better treatment than would have been the case with either if organization had not been tried.

It is true that several avocations report a decrease in wages; and where this is so it will usually be found that some circumstance or condition peculiar to the particular avocation itself is the moving cause. Thus, in the case of the cigarmakers, who seem quite generally to report less wages. While Chinese labor continues to be employed in the cigar-making industry to a considerable extent, yet, by investigation made, it does not appear that the percentage of such labor thus employed has increased since 1896. As far as appears from investigation, Japanese

labor has not been, as yet, employed to any great extent in cigarmaking in the State, although some is employed in the making of cigarettes; but voluminous testimony supports the claim that the importation of Eastern-made cigars into the State has vastly increased in later years, and that the labor employed in Eastern cities in the manufacture of large quantities of such cigars is paid less for its work than are even the Chinese cigarmakers of San Francisco.

Again: The principal cause of the reduction shown in the case of the Typographical Union members is probably the increased use of linotype machines in typesetting within the last few years.

While these isolated instances of retrogression are much to be regretted so far as they affect the workers in the avocations concerned, still, conditions as a whole are generally, as noted, very gratifying.

In addition to their organization as individual lodges, and their connection as such in many cases with national central or superior bodies, many of the labor organizations of the State are members of what may be termed "local" central or superior bodies, which are in turn again connected with national central or superior bodies, and with view to securing reliable information as to such local central or superior bodies, the questions contained in Table No. 5 following, were addressed to them:

TABLE No. 5.

1. Name of central body.
2. When founded.
3. Where located.
4. Number of component organizations.
5. Name of Secretary.
6. Address of Secretary.
7. National organization affiliated with.
8. Jurisdiction of local central body, and character of organizations under its jurisdiction.
9. Basis of representation in.
10. Scope of authority over organizations represented in.
11. Remarks on scope of work, and suggestions as to legislation deemed desirable.

The data received in response to the said queries appear in Table No. 6 next following, and in remarks in connection therewith.

Table No. 6 shows name of central body, when it was founded, and location of same; number of component organizations; name and address of Corresponding Secretary, and national body affiliated with.

TABLE No. 6.

Name of Central Body.	When Founded	Where Located.	Number of Component Organizations.	Name of Secretary.	Address of Secretary.	National Organization Affiliated With.
Alameda County Federated Trades	1900	1058 Broadway, Oakland	6	C. D. Rogers	1058 Broadway, Oakland	Am. Fed. of Labor
Allied Printing Trades' Council		San Francisco		Geo. A. Orr	533 Kearny St., S. F.	
District Council of San Francisco (Carpenters and Joiners)	1894	San Francisco	6	Henry Meyer	122 Gates St., S. F.	Bro. of Car. & J. of Am.
Federated Trades' Council		Sacramento		F. E. Smith	1013 10th St., Sacramento	
Los Angeles County Council of Labor	1890	Los Angeles	17	W. M. Tomlinson	318 W. 1st St., L. Angeles	Am. Fed. of Labor
San Francisco Labor Bureau Ass'n		San Francisco		Guy Lathrop	915½ Market St., S. F.	
San Francisco Building Trades' Council	1886	915½ Market St., San Fran.	26	W. M. Page	7 Morris Ave., S. F.	
San Francisco Labor Council	1885	915½ Market St., San Fran.	35	E. Rosenberg	915½ Market St., S. F.	Am. Fed. of Labor
San Diego Federated Trades' Council	1891	San Diego	5	Harry Clark	809 Dewey St., San Diego	
Trades and Labor Council of Vallejo	1899	Vallejo	8	J. Davidson	1015 Marine St., Vallejo	Am. Fed. of Labor

By Table No. 6 it will be seen that slightly less than one half of the labor organizations of the State are members of local central bodies, as before named; 103 being thus members, as against 217 organizations. Of the central bodies named, the jurisdiction of some extends only to particular trades; and of such are the San Francisco Building Trades' Council, which includes in its membership the organizations of nearly, if not quite, all the avocations in San Francisco in any way connected with building or structural work; and the District Council of Carpenters, which includes again many of the organizations of carpenters. Central bodies such as the San Francisco Labor Council, and the Federated Trades' Councils in the several localities, include within their membership the organizations of all avocations, or nearly so, that may wish to hold such membership.

The scope of the authority of the central body over its component organizations is given, in all but one case, as advisory only. In the one case named (the San Francisco Building Trades' Council), the central body has supervisory authority over its said component organizations to the extent of passing upon all trade rules which such organizations may wish to adopt, and to employing business agents to supervise the business affairs and disputes of the central body, and of the various component organizations.

Relative to purposes of such central bodies, the mutual coöperation of wage-earners for the protection of their wages and interests is in almost every case given; and incidental thereto, the promotion of organization and unionism among the working classes.

One of the bodies named (the San Francisco Labor Bureau Association) is in the nature of a social body, and maintains club and reading rooms for its members, where they may pleasantly while away an hour in mutual interchange of ideas, or with social games, or with books, periodicals, etc.

Of the central bodies named it will be noted, again, that five are in turn members of national central bodies; and thus altogether it will appear that, starting with the individual wage-earner who is a member of a labor organization, from him to the organization of his immediate membership, from thence to the local central body, and from thence finally to the national central body, the ties of organization and brotherhood are in many cases far-reaching and closely woven.

Returns received to the request for suggestions as to legislation deemed to be desirable in behalf of wage-earners show a quite uniform agreement among the respective organizations as to matters of general importance. Summarized, and including returns received from local central bodies, we find that of the two hundred and twenty-seven distinct organizations existing in California:

One (the Journeymen Barbers' International Union) suggests the maintenance, by the State, of a Free Employment Bureau.

Four (including Barbers', Bakers', Retail Clerks', and Miners' Unions) favor the enactment of a "Sunday closing law."

One (the Cement-Workers) suggests legislation better safeguarding the fulfillment of the specifications of contracts on work.

Two (the Laborers' Union and the Federated Trades' Council of San Diego) favor legislation looking to the election of United States Senators by direct vote of the people.

One (Pile-Drivers', etc., Union) suggests giving of contracts on Government work only to the employers of union labor.

One (the Patternmakers) suggests a weekly payday law.

Four (Carpenters' Union, Iron Molders, Los Angeles County Council of Labor, and the Federated Trades' Council of San Diego) favor Government ownership of public utilities.

Two (a Carpenters' Union and an Iron Molders' Union) suggest legislation compelling arbitration in labor disputes.

One (a Milkers' Union) suggests the creation of the office of Sanitary Inspector.

One (a Telegraphers' Union) suggests legislation restraining attempts to keep wage-earners from joining labor organizations.

One (a Musicians' Union) suggests legislation prohibiting musical bands composed of persons in the employ of the Federal, State, or Municipal governments, from competing with other bands for musical work.

One (a Miners' Union) suggests legislation making the owners of mines, worked under bond or contract by third parties, responsible for the wages of employes in such mines.

One (a Miners' Union) suggests the creation of the office of Mine Inspector.

Two (both Railway labor organizations) suggest laws prescribing the number of men to be carried as crews on railway trains.

One (a Marine Engineers' Union) suggests legislation prohibiting the employment of aliens, or the importation of the same, as engineers.

One (a Retail Clerks' Association) suggests legislation requiring lady clerks to be paid not less than \$10 per week.

One (a Carpenters' Union) suggests the adoption of the "initiative," "referendum," and "imperative mandate," form of legislation.

One (a Cigar-Packers' Union) suggests the prohibition of "tenement" house labor.

Two (a Cigarmakers' Union and the Alameda County Federated Trades) suggest legislation better regulating and restricting child labor in industrial avocations.

One (a Cigarmakers' Union) suggests high duties on foreign manufactured goods and free raw materials.

Two (both Railway labor organizations) suggest legislation making the employers responsible to an employé for injury received through the fault of a co-employé.

One (a Carpenters' Union) suggests legislation placing the employment agencies of the State under the jurisdiction and control of the Commissioner of the State Bureau of Labor Statistics.

Two (a Cigarmakers' Union, and a Railway Conductors' Union) suggest legislation restricting the use of the injunction process in labor difficulties.

One (a Railway labor organization) suggests legislation prohibiting "blacklisting."

Two (both Barbers' Unions) suggest the passage of laws providing for a standard of efficiency, and for examination as to such efficiency, on the part of workers in the trade.

Three (a Brotherhood of Carpenters' Union, the Alameda County Federated Trades, and the San Francisco Building Trades Council) suggest legislation prohibiting the competition of convict or "unfair" labor with free labor.

Two (both Cigarmakers' Unions) suggest the prohibition, by legislation, of union labels on goods manufactured by unorganized labor.

Two (a Stone-Cutters' Union, and a Carpenters' Union) suggest the prohibition, by legislation, of the doing of public work by contract.

Two (both Typographical Unions) suggest legislation requiring the use of the union label on all Government and State printing.

Seven (including two Bakers' Unions, one Cigarmakers' Union, an Amalgamated Engineers' Union, a Metal Polishers and Buffers' Union, and a Paperhangers' Union) suggest legislation looking to the improvement of sanitary conditions around workshops and places of employment.

Seven (including three Cigarmakers' Unions, one Laborers' Union, one Longshore Lumbermen's Union, one Miners' Union, and one Typographical Union) suggest legislation prohibiting the incoming of Chinese and Japanese labor.

Seven (including three Carpenters' Unions, a Cement-Workers' Union, a Printers' Union, a Plasterers' Union, and the San Francisco Building Trades' Council) suggest legislative improvement of the mechanics' lien laws of the State.

Two (a Typographical Union and a Molders' Union) suggest legislation regulating the apprenticeship of boys to trades.

The Sailors' Union suggests legislation providing for a legal working day of nine hours (applicable only to sailors in port, as I understand it); a standard of efficiency in seamanship; the number of seamen each vessel must carry, based on the tonnage of the vessel; freedom of sea-

men to quit work in foreign as well as in home ports; for the repeal of Sections 644 and 645 of the Penal Code of California.

One organization (the San Francisco Building Trades' Council) suggests the legislative abolition of private employment agencies.

One organization (the Federated Trades of San Diego County) suggests the legislative inauguration of postal savings banks.

Thirty organizations (including a Bakers' Union, two Carpenters' Unions, two Cigarmakers' Unions, one Coopers' Union, one Engineers' Union, one Electrical-Workers' Union, one Marine Firemen's Union, one Iron-Molders' Union, one Lithographers' Union, one Mill-Workers' Union, one Machinists' Union, two Miners' Unions, one Patternmakers' Union, one Pavers' Union, one Pile-Drivers and Bridge-Builders' Union, two Sailors' Unions, one Stair-Builders' Union, one Stone-Cutters' Union, one Typographical Union, one Waiters' Union, the Alameda County Federated Trades, the Los Angeles County Council of Labor, the Federated Trades and Labor Council of San Diego County, the Trades and Labor Council of Vallejo, and the San Francisco Building Trades' Council) suggest the enactment of legislation shortening the hours of daily labor generally, and, in most cases, name eight hours per day as the suggested maximum limit for a day's work.

Certainly, the variety of subjects here suggested as proper for legislative attention gives wide scope for thought and mental effort on the part of our lawmakers.

Next following is Table No. 7, which shows organizations grouped according to year when founded, so far as answers received contain such data:

TABLE No. 7.

Name of Organization.	Local No.	Year When Founded.
Amalgamated Society of Engineers		1850
Shipcalkers' Association		1853
Ship and Steamboat Joiners' Union		1857
Typographical Union	46	1859
Granite-Cutters' Union		1862
Molders' Union	164	1867
Laborers' Protective Association		1868
Brotherhood of Locomotive Engineers	110	1869
Typographical Union	21	1872
Brotherhood of Locomotive Firemen	314	1873
Tailors' Protective and Benevolent Union (Journeymen)		1873
Bookbinders' Protective and Benevolent Association		1875
Typographical Union	174	1875
Brotherhood of Locomotive Engineers	126	1876
Miners' Western Federation	61	1877
Brotherhood of Locomotive Engineers	5	1878
Pavers' Union (Pacific Coast)		1878
Bakers' Union	37	1880
Order of Railway Conductors	282	1880
Brotherhood of Locomotive Firemen	386	1881
Bricklayers' Union		1882
U. B. C. and J. of America	22	1882
Coopers' Union		1882
Marine Engineers' Benevolent Association		1882
U. B. C. and J. of America	35	1883

TABLE No. 7—Continued.

Name of Organization.	Local No.	Year When Founded.
Brotherhood of Locomotive Firemen	143	1883
Sailmakers' Union.....		1883
Brotherhood of Railroad Trainmen.....	430	1883
Order of Railway Conductors.....	115	1884
Order of Railway Conductors.....	111	1884
Machinists' International Association.....	68	1884
Journeyman Bakers' Union.....	24	1885
Cigarmakers' Union.....	225	1885
Cigarmakers' Union.....	228	1885
Brotherhood of Locomotive Engineers.....	283	1885
Marine Firemen's Union.....		1885
Musicians' Mutual Protective Union.....		1885
Brotherhood of Railroad Trainmen.....	196	1885
Typographical Union.....	56	1885
Sailors' Union of the Pacific.....		1885
Sailors' Union of the Pacific.....		1885
U. B. C. and J. of America.....	235	1885
National Union of Brewery Workmen.....	7	1886
Cigarmakers' Union.....	238	1886
Cigarmakers' Union.....	291	1886
Cigarmakers' Union.....	253	1886
Printing Pressmen's Union of North America.....	60	1886
Sailors' Union of the Pacific.....		1886
Order of Railroad Telegraphers.....	53	1886
Typographical Union.....	207	1886
Typographical Union.....	86	1886
U. B. C. and J. of America.....	304	1887
U. B. C. and J. of America.....	316	1887
'Longshoremen's Union.....		1887
Patternmakers' Union.....		1887
Sailors' Union of the Pacific.....		1887
Stonecutters' Association of North America.....		1888
Stonecutters' Association of North America.....		1888
Bakers' Union.....	85	1889
Bricklayers' Union.....		1889
U. B. C. and J. of America.....	483	1889
Typographical Union.....	254	1889
Printers' Protective Fraternity.....	33	1890
Brotherhood of Railroad Trainmen.....	340	1890
Cigarmakers' Union.....	332	1891
U. B. C. and J. of America.....	332	1892
Plumbers, Gas and Steam Fitters' (Journeyman).....	78	1892
International Brotherhood of Electrical Workers.....	61	1893
Miners' Western Federation.....	90	1894
Metal Workers' Union, Amalgamated Sheet.....	104	1894
Theatrical Employes' Protective Union.....	16	1894
Boilermakers' Brotherhood of America.....	148	1895
U. B. C. and J. of America.....	36	1895
International Brotherhood of Electrical Workers.....	6	1895
Brotherhood of Locomotive Firemen.....	58	1895
Milkers' Protective Association.....		1895
Miners' Western Federation.....	70	1895
Lithographers' Union.....	17	1895
U. B. C. and J. of America.....	95	1896
Painters, Decorators, etc., Brotherhood of America.....	134	1896
Printing Pressmen's Union of North America.....	78	1896
Bookbinders' Union.....	63	1897
Branch Union of Brewery Workmen.....	3	1897
Miners' Western Federation.....	44	1897
Printing (Feeders and Helpers) Union of North America.....	37	1897
Stereotypers' Union.....	29	1897
Theatrical Employes' Protective Union.....	50	1897
Pacific Coast Waiters' Association.....		1897
U. B. C. and J. of America.....	194	1898
Photo-Engravers' Union (San Francisco).....		1898
Bottlers' Union.....	102	1899
U. B. C. and J. of America.....	426	1899
U. B. C. and J. of America.....	423	1899
U. B. C. and J. of America.....	162	1899
Cement-Workers' Union.....		1899

TABLE No. 7—Continued.

Name of Organization.	Local No.	Year When Founded.
Cloakmakers' Union.....		1899
Clerks' International Protective Association.....	373	1899
Derrickmen and Engineers' Union.....		1899
'Longshore Lumbermen's Protective Association.....		1899
'Longshoremen's (San Francisco) Protective Association.....		1899
'Longshore Lumbermen's Protective Association.....		1899
Miners' Western Federation.....	47	1899
Milkers' Protective Association.....		1899
Metal Buffers and Polishers' Union.....		1899
Plasterers' Union (Contracting).....		1899
Pile-Drivers and Bridge-Builders' Union.....	1	1899
Painters, Decorators, etc., Brotherhood of America.....	73	1899
Painters, Paperhangers, and Frescoers' Brotherhood of America.....	131	1899
Painters' Brotherhood of America.....	127	1899
Plasterers' International Association.....	2	1899
U. B. C. and J. of America.....	16	1899
Plumbers' Union of Alameda County.....		1899
Shinglers' Union.....		1899
Shipjoiners' Protective Association.....		1899
Brotherhood of Railroad Trainmen.....	420	1899
Barbers' Union.....	148	1900
French Bakers' Union.....		1900
Barbers' International Union.....	134	1900
Branch Union of Brewery Workmen.....	2	1900
U. B. C. and J. of America.....	550	1900
U. B. C. and J. of America.....	586	1900
Machinists' International Association.....	311	1900
Miners' Western Federation.....	39	1900
Painters' (Sign and Picture) Brotherhood of America.....	132	1900
Painters' Brotherhood of America.....	136	1900

We have no source of knowledge of the organizations which may, respectively, from time to time, have come into existence in California since the inception of labor organization therein, only to flourish but for a while, and then to die and drift to oblivion with the tide of time. Doubtless they are many, but regarding them we do not know. Of organizations now existing (217, as before noted, not including local central bodies), 125 gave, in their returns, the year in which they respectively were founded, with results as appear in the foregoing table (No. 7).

By said table it is shown that in the procession of the labor organizations in question, marshaled according to the years of their respective inceptions, the *Amalgamated Society of Engineers* carries the *pioneer flag*, the year of its foundation being 1850, being thus as old as the State of California itself. Close behind it treads the Shipcalkers' Association, founded in 1853; the Ship and Steamboat Joiners' Union, founded in 1857; and Typographical Union No. 46 (of Sacramento), the Granite-Cutters' Union, and others in later line.

The founders of these first organizations were doubly pioneers. They were pioneers of the State as well as of the labor organization movement within it. Doubtless the most of them, with other argonauts of the Golden Age, have passed to the great majority; but the State which

they helped to found has become great among the States of the Union, and the organizations whose foundations they so well fashioned still live as monuments to them in the industrial world.

In Table No. 7 (and noting, in passing, the increase more or less in extent from the beginning) we can but note the remarkable increase in organization of labor manifest since the commencement of the year 1899. While prior to said time not more than eight or ten organizations have come into existence in any one year, and while the rule has been not more than four or five, we find the record for 1899 to have suddenly increased to twenty-five, while ten new organizations appear during the first half of the present year, 1900. Viewing these facts, and recalling statements and rumors so generally current regarding increase in the number of combinations of Capital within about the same time, it is logical to conclude that there is sympathy or connection between the principles and conditions which justify and make possible combinations of Capital, and those which justify and make possible combinations of Labor, and doubtless it is so. The combination in both cases proceeds from the same moving cause; that is to say, humanity at all times, in all ways, and in all places strives to do that which it believes will most benefit itself and its own interests; and in so doing must ever do battle with nature's law of the "survival of the fittest"; and in that battle he who takes not his own part takes not at all. Organization and coöperation is one of the first impulses of human nature. In every walk in life, those mutually interested in the attainment of any given object follow this impulse, and unite their efforts in furtherance of the common benefit, and in such union there is strength, while in individual effort there is but weakness. But what shall be thought of the equity of him who, in any case, claims for himself and for his interests this right of union, and denies it to his opponent? He, indeed, would make the law of "might," and not the law of justice, supreme.

Why, then, should Labor not combine, or why should Capital not combine, for the protection of their respective interests? The wrong which comes from the combination of either Labor or Capital in any case, comes not from the principle or from the fact of combination itself, but from misuse, sometimes, of the power which combination gives, and in this there is no difference in principle between the act of an individual and the act of a combination; and the logic which would say that because some combination may at some time do something wrong, all combinations are evil, and should be suppressed and prohibited, is as little forceful as would be logic saying that some individual may at some time commit murder, and that therefore all individuals are evil and should be exterminated.

Attention has somewhere been aptly called to the fact that what are termed "questions between Capital and Labor" are often referred to as

though based upon, or containing, some peculiar, mysterious principle. They, in fact, contain nothing of the kind. They arise in all cases upon exactly the same premises as do questions between buyers and sellers of any other degree or place; they are properly governed only by the same business rules and the same common sense that should govern questions regarding the conduct of business affairs between men in any other walks of life. In speaking of business rules and common sense in this connection, we may as well frankly lay bare and acknowledge the fact that only in the contemplation of theorists do men in business affairs, whatever may be the place, station, or condition of the respective parties, give more, or exact less, than the conditions under which they respectively act, compel or permit them to. The end and aim of the employer in any enterprise is self-benefit, not philanthropy, in conducting the same. The end and aim of the wage-earner whom he employs is self-benefit, and not philanthropy. Thus, in motive for their dealing with each other they stand upon equality. Incidentally, the action of each may bring benefit to the other, but benefit to the other is not the motive for action in either case. The end and aim of capitalistic combination is benefit to the investments of Capital, and not injury to Labor; and the creed often fostered by demagogues, that such end and aim is to grind down and crush Labor, is not worthy of attention. The end and aim of combinations of wage-earners is benefit to wage-earners, not injury to Capital nor to employers; and the creed often fostered by those hostile to labor organizations, that combinations of Labor are baneful institutions, whose ends and aims are anarchistic, and seek the destruction of the rights of property, is again puerile. The moving thought of either combination is simply benefit, or what it is deemed will be benefit, to its members. Incidentally may come with either of the combinations named injury to the interests of the other, or to the interests of others; but if methods be within the law, who shall be heard to complain if perchance, in such case, the worker's gain is another's loss?

The deductions, here following, are:

(1) That there is nothing wrong or illegal in combinations of either Labor or Capital, further than their methods may make wrong, and that in this they stand upon no plane other than that upon which individuals stand.

(2) That in the matter of motive for combination they stand before each other and before the world upon equality.

(3) That in working for their ends, there may arise, incidentally, good or evil to the other, or to others, from the acts of each.

Increase in wages, made possible by combinations of wage-earners, may reduce the profits of employers, or increase the price of commodities to those who consume.

Increase in profit, made possible by combinations of Capital, may make less, in some cases, the wage or wages of wage-earners, or increase the price of commodities to consumers.

But once again, if methods are within the law, who in either case shall be heard to complain, or to say to the wage-earner that he may not take his own part?

And another conclusion here becomes apropos, and that is that standing upon equality as named, as do combinations of Labor and combinations of Capital, any legislation directed to the restriction or prohibition of one, must, if equally and consistently enforced, work the restriction or prohibition of the other also. And this explains the coldness with which wage-earners have, as a rule, received "anti-trust" legislation.

Standing thus upon equality as to right of existence, as to motive for existence, and as to method, why should not the representative of Organized Labor and of Organized Capital meet upon all questions between Labor and Capital in the respective employments and avocations, and, in what has been happily termed "a spirit of enlightened selfishness," each zealous in protection of their respective interests, with sound business and common sense adjust them?

A vast amount has been written relative to the evil from time to time resulting to Labor, and to other interests, from the "strikes" of labor organizations. Columns of figures have been presented purporting to show the millions of dollars lost, beyond recall, in wages to working-men, through the medium of such strikes. It is hackneyed to say that strikes should only be resorted to in the settlement of difficulties when all other lawful methods have failed. It is, or should be, elementary in labor-organization learning, to say that strikes should never be declared except under the dictates of the soundest business prudence and common sense; but with this premise, a great deal which is written and said about the evil of strikes is written and said without appreciation of the principle which underlies the strike. A strike, properly conducted, is nothing more nor less than the exercise of the worker's right, either individually or in combination with his fellow, to refuse to sell his labor when the conditions and prices offered to him in exchange therefor are unsatisfactory. And in this he follows no other principle than is followed by his employer, who, on occasion, refuses to sell to a would-be purchaser the commodity which he manufactures, because the conditions and prices offered him in exchange therefor are unsatisfactory. It is true that the worker who "strikes" often suffers, but it is true again that his suffering oftentimes makes smoother and better the path of the worker who comes after him. None, speaking frankly, can gainsay the fact that the wages of Labor, and the condition of Labor, as employed to-day are better for the fact that in the past there have been Labor strikes. The soldier who goes to battle too

often receives but wounds and death as his portion, but his martyrdom makes the way for Liberty after. To send the worker forth into the industrial world, deprived of his privilege to "strike," to battle for his part, would be tantamount to sending the soldier forth to war, deprived of weapons. The very knowledge that such weapon is within reach often brings prestige to the wage-earner in seeking right, which otherwise he would not have.

In speaking here of strikes, we speak of them in connection only with what they properly include, viz: the right peaceably to quit work when wages and conditions are unsatisfactory. The labor organization stands upon equality with all other factors within the commonwealth. In the furtherance and protection of the interests of its members, it may rightfully go as far as any other combination or individual may legally go; whatever is legal in method for others to do in self-advancement or self-protection it may rightfully do; it may do no more. Whenever it reaches the line which divides between lawful and unlawful acts, the true friends of labor organization always counsel pause; whenever it crosses that line the true friends of labor organization always in no uncertain way condemn. It may perchance at times be, that in the excitement of disputes between Labor and Capital, an organization, incited and led by the waving of demagogic firebrands, may be tempted to cross the line to deeds of violence, which can but injure the name of Organized Labor, and do lasting harm to its cause; but true wisdom in the interests of wage-workers in general will always in such cases restrain and point to the fact that in all the history of Labor strikes the beginning of violence, as a rule, marks the beginning of the downfall of the cause; counseling the while that a lesser gain to-day, legally obtained, makes surer the foundation for to-morrow.

It may not be out of place here to suggest, that perhaps Organized Labor has not yet been given the place and dignity which it deserves as a social and economic factor, even by its friends and public champions, or those assuming to be such; that it receives in the public mind too often but captious recognition; that at times it is held too little accountable for wrongful acts or methods; at times too fulsomely lauded, at times too readily condemned; when "down," too often finds "none so poor to do it reverence"; is received with toleration when it should be received of right; is refused recognition when fair and open recognition should be given, and is belittled and condemned when it should be encouraged and supported.

Continuing the subject of strikes, consideration shows that there are two industrial conditions that are prolific of strikes, viz: industrial depression and industrial prosperity. We can recall how, during the dark days of four or five years ago, labor difficulties and strikes existed in almost every direction. Loaded with the evil of failing or disappearing profits, the

employersought to shift from his own shoulders, to those of the worker, the burden, or a portion of it. Naturally averse to being thus called upon to assist in bearing the load, the worker strenuously resisted, even to the extent, in many cases, of "striking." During the past two years of prosperity labor difficulties and strikes have again occurred in many places; resulting, however, from inverse causes, that is to say: During the said two past years, invested Capital has prospered. Profits have increased, and the worker has come to the employer and demanded a share of the increase. Averse to parting with such share, the employer has refused, and the worker in many cases has strenuously insisted that his demand be granted, even to the extent, in some cases, of "striking." There is a notable distinction, however, between the strike of 1895 and the strike of 1900; and it is, that where, in the former time, the worker, as a rule, was unsuccessful, in the latter time success has usually been his portion. But in either time the history of the strikes makes not all the story of the change in the condition of the workers, since, in the former time, many a reduction of wages and increase in hours of labor were received by the worker in despairing submission, while in the latter time increase in wages has been granted, and shorter hours of labor have been obtained, with little or no controversy, upon the mere requests of the workers, and as the result of peaceable and friendly negotiation with employers.

In the matter of strikes it is pleasing to note that while Labor has made material gains in many cases in the way of increase in wages and in the betterment of conditions during the past two years, strikes in this State during that time have been comparatively few. Those occurring have, in most cases, been of small magnitude, and of short duration. Data at hand on this subject are not complete, but of the more important strikes within the time last named may be mentioned that of the Cloak-makers' Union in San Francisco, which resulted from the action of several of the cloakmaking firms in locking out those of their employées who were members of the union; and the strike of the Mill-Workers' Union of San Francisco, and of Alameda County (supported by the Building Trades Council of the respective places named), which resulted from a refusal on the part of the mill-owners to grant a request of the mill-workers that the number of hours required of them for a day's work be reduced from ten and nine, to eight.

In the case of the former strike partial success has thus far attended the efforts of the union; one of the three firms originally concerned in the controversy having withdrawn its opposition to union members. As regards the other firms, the strike is being continued at this writing.

As regards the strike of the mill-workers, and avoiding an attempt at discussion of the merits of the controversy at this time, further than to say that the mill-worker certainly seems not unreasonable, in view of

the general betterment of trade conditions of all kinds, in asking for a share in that betterment, there is one thing in connection with it which speaks eloquently in favor of the mill-workers, and which causes all fair-minded persons to hope for their ultimate success, and that is, the legitimate, open, and fair manner in which their strike has been conducted. Both in San Francisco and in Alameda County, during an already protracted contest, good judgment and good generalship have marked the handling of their cause. There has been no lawlessness, there has been no disorder; they have gone about the matter like business men, seeking in a business way to settle a business difference with the employers. In attempted furtherance of their ends they have exercised their right, collectively, to quit work; they have been at all times ready to meet the employers in amicable and peaceful discussion of differences; and altogether have set an example of a strike, fairly and properly conducted by intelligent wage-earners, of which the people of California may well be proud, especially in view of the disorderly and illegal acts which have too frequently attended strikes in other States. In view of the good sense and good judgment displayed in the conduct of their cause, aside from other reasons, it is to be hoped that ultimately the mill-workers will secure a settlement satisfactory to themselves in their controversy.

Reverting to the subject of labor organization in general, and to the refusal of fair recognition of it at times, as before named, an almost "stock" assertion on the part of employers and others opposed to organized labor is, that they "do not propose to be dictated to as to how they shall conduct their business affairs." It is not to be denied that organizations of labor may, and perhaps at times do, seek to discuss with employers subjects which are properly within the sole discretion of the employers, and such attempts should be frankly discouraged by the friends of Organized Labor; but surely the above-named objection to attempted "dictation" cannot properly be heard as regards questions pertaining to wages, hours of labor per day, or conditions of employment. These all are questions in which the worker himself properly has voice, either personally or through his chosen representative. If, as to the settlement of such questions, the worker deems that his interests will be best protected by combination with his fellow-workers, and by speaking and acting through representatives rather than in person, by what rule of justice shall any one be heard to deny his right so to do? The point is persistently made here that the worker stands upon equality with all others in the commonwealth; that he has a legal and equitable right to be heard in the same way and by the same methods in and by which others make themselves heard. We have in this State at the present time a Prune-Growers' Association. It is a perfectly legitimate combination, formed to protect and advance the

interests of the growers of prunes. We have something similar as regards the raisin-makers of the State. In the case of the representatives of either combination, in conference with would-be buyers of prunes or raisins, he would be regarded as imbecile who would suggest that the price of the product, the whole quantity to be delivered, or the quantity to be delivered per diem, or the place of delivery, should not be discussed, because such discussion would be in effect an attempt on the part of the seller to dictate to the buyer as to how said buyer should conduct his business affairs.

Again, attempts on the part of representatives of labor organizations to adjust differences between members of the organization and their employers, are often met with the assertion on the part of employers that "it is not proposed to allow 'outsiders' to interfere." Wherein is this more consistent than would be a refusal on the part of the would-be buyer of a commodity to negotiate with the representative put forward by the seller, on the ground that he (the buyer) did not propose to deal with an outsider? In his dealing with the employer of to-day, in how many cases does the employé deal with the principal? In this age of combination, how far the cry often from the worker to the owner? The complaint here is not against the combination. That, perhaps, is an adjunct of the progress and the civilization of the century. The prayer is not for pity for the worker, but only for equality and a "fair field"; the right to use in the industrial battle the same methods and the same weapons in self-protection and in self-advancement that his opponents use against him. Public opinion should support him at all times in his demand for this equality and for this fairness, and should hold him to strict accountability for misuse of power and for wrongful acts and methods.

It may not be out of place here to make mention of that much-maligned and misrepresented incident of Organized Labor, the "walking delegate." According to popular representation, the walking delegate is an individual of remarkably vicious propensities, who by some occult process subjugates the worker to his will, and with despotic wave of the hand causes him to "strike," often and long, much against his (the worker's) inclination. A genuine article of "walking delegate" (according to the popular representation named) is always recognizable by a large diamond (imitation or otherwise) affixed to his shirt front. Now, as a matter of fact, "the river never rises above its source," and "by its fruits we know the tree." The representative of the organization is a creation of the organization itself, and of its rules, and if not in acts and policies in accord with the ideas of a majority of the members, and if not obedient to the rules which the members themselves make for his government, will not long survive. The regulation which gives to the representative authority to tell men when to strike, is one formulated

and consented to by the men themselves beforehand. The "walking delegate" only executes laws for the organization and its members, he does not make them; he is simply a representative, and stands, in relation to the organization, in no great degree different from the manner in which the representatives of capitalistic and other combinations stand in relation to those whom they represent.

Once more to the proposition that Organized Labor should be given a more dignified and stable place in the economy of the commonwealth than has hitherto been accorded it. Why should not this be so? Why should it not be encouraged and supported by public opinion at all times when right, and condemned when wrong, the same as any other factor in society is or should be? Why should it not then be looked to in greater degree than now as the medium through which the interests of wage-earners generally may find that protection and advancement which none deny they should have? Why should it not then be the medium through which the wage-earner may take his own part in an upright, manly way in the battle of interests that is continually waged in the economic world? Why not thus take his own part, not in a spirit of carping discontent; not with a feeling that the world is all against him because, perchance, he must contest with others for his portion; but in that spirit of "selfish enlightenment" before named, claiming his fair share, and striving for it.

Thus meeting his employer and his employer meeting him, in mutual fairness of spirit, each safeguarding his own interests with sound reason and common sense, the mystery of questions between Labor and Capital would disappear. Labor would refrain from imposing prices and conditions which would stifle demand for its product, and thus would avoid self-injury. Capital would avoid decrease of wages wherever possible, recognizing that upon the purchasing power of the wage-earners of the nation rests ultimately the prosperity of all, invested Capital included, and that whenever such power is lessened invested Capital suffers.

In another part of this report, attention is called to the fact that as to the condition of the wage-earner generally, California leads the States of the United States, and the United States leads the countries of the earth. Great has been the progress of the worker. From the barbarian of the remotely dim age of the beginning, ministering but to his savage wants; from the abject slave of later time, whipped to his toil without reward; from the groveling vassal of but a century or two ago, he has come onward and upward to his place of to-day. In all his progress, intelligent organization has been a helping factor of untold importance; and standing now, looking into the dawn of a new century, "Onward and Upward" still his watchwords, he who preaches to him "despair" is not his friend. He who cries that his course is downward, turns his face from facts. Could it be believed that after this struggle

of centuries the set of the tide is still sweeping him backward; that his efforts for betterment of even the last half century have left him further behind on the path of progress than he was at the beginning, as so many of his woful well-wishers would teach him to believe, then indeed might it be felt that all future effort for betterment on his part could have only disappointing end. But there has been great progress in the past, and there will be progress still in the future. Each year and each effort will make something better than it was before, and labor organization will in the future hold the place which its importance as a factor in the industrial world entitles it to hold.

FINANCIAL STATEMENT

For the Fifty-first Fiscal Year Ending June 30, 1900.

APPROPRIATIONS.

Salary of Commissioner.....	\$3,000 00
Salary of Deputy Commissioner.....	1,800 00
Salaries of Special Agents, and traveling and contingent expenses.....	2,500 00
Printing	875 00
Office rent.....	600 00
	\$8,775 00

DISBURSEMENTS.

Salary of Commissioner.....	\$3,000 00
Salary of Deputy Commissioner	1,800 00
Salaries of Special Agents.....	1,986 21
	\$6,786 21
Printing.....	89 25
Office rent.....	600 00
Traveling expenses	51 20
Contingent expenses	273 74
	\$7,800 40
Total appropriations	\$8,775 00
Total disbursements	7,800 40
Unexpended balance June 30, 1900.....	\$974 60

FINANCIAL STATEMENT.

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SALARY ACCOUNT ITEMIZED.

E. L. Fitzgerald, Commissioner, July 1 to Sept. 7, 1899, at \$250 per month.....	\$550 00
F. V. Meyers, Commissioner, Sept. 7, 1899, to July 1, 1900, at \$250 per month..	2,450 00
C. L. Dam, Deputy Commissioner, July 1 to Oct. 5, 1899, at \$150 per month....	470 00
J. D. Kelsey, Deputy Commissioner, October 5, 1899, to February 1, 1900, and from February 12 to July 1, 1900, at \$150 per month.....	1,271 15
E. L. Reguin, Deputy Commissioner, February 1 to February 12, 1900, at \$150 per month.....	58 85
"Extra" help, named by Commissioner Fitzgerald as employed during July, 1899	25 00
T. E. Nelson, Special Agent, July 1 to October 1, 1899, at \$100 per month, and from October 1 to November 1, 1899, at \$60 per month.....	360 00
E. L. Brackett, Special Agent, July 1 to September 8, 1899, at \$100 per month..	226 80
E. L. Reguin, Special Agent, October 14, 1899, to February 1, 1900, and from February 12 to July 1, 1900, at \$100 per month	820 69
K. Zwicker, Special Agent, November 17, 1899, to July 1, 1900, at \$60 per month..	448 00
W. Macarthur, Special Agent, May 24 to June 24, 1900 (inclusive), at \$100 per month.....	105 72
	<hr/>
	\$6,786 21

PRINTING ACCOUNT ITEMIZED.

Oct. 24, 1899—From State Printing Office, 5,000 letterheads; 2,500 No. 6 and 2,500 No. 9 envelopes	\$48 75
May 28, 1900—From State Printing Office, 5,000 letterheads; 3,000 No. 6 and 2,000 No. 9 envelopes	40 50
	<hr/>
	\$89 25

OFFICE RENT ACCOUNT ITEMIZED.

Rent from July 1, 1899, to July 1, 1900, 12 months, at \$50 per month.....	\$600 00
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TRAVELING EXPENSE ACCOUNT ITEMIZED.

1899—Nov. 27—F. V. Meyers, railroad fare, San Francisco to Healdsburg and return	\$4 50
1900—June 21—F. V. Meyers, 1,000-mile railway mileage ticket, for traveling account of Bureau.....	25 00
Feb. 20—E. L. Reguin, Special Agent, car and railroad fare since January 20, 1900.....	3 70
Mar. 20—E. L. Reguin, Special Agent, car and railroad fare since February 20, 1900.....	2 85
Apr. 20—E. L. Reguin, Special Agent, car and railroad fare since March 20, 1900	2 25
May 20—E. L. Reguin, Special Agent, car and railroad fare since April 20, 1900	4 60
June 30—E. L. Reguin, Special Agent, car and railroad fare since May 20, 1900	8 30
	<hr/>
	\$51 20

CONTINGENT EXPENSE ACCOUNT ITEMIZED.

Telephone.....	\$133 55
Postage	57 00
Stationery	50 84
Expressman's charges	9 56
Electric office bells.....	8 50
Mercantile Towel Company (office towels).....	8 25
Cleaning office carpets	3 84
Sign-lettering on office door.....	2 50
	<hr/>
	\$273 74

A law of this State requires the official head of any State institution, for which State money, other than for salaries, is appropriated, to submit a detailed statement of the manner in which all money appropriated, as said, for the respective institution, has been expended, and in accordance therewith the foregoing statement is submitted, covering the fifty-first fiscal year.

It will be noted therein that of the appropriations made for salary of Commissioner, salary of Deputy Commissioner, and for office rent, for the fiscal year in question, the full amount has been expended.

For salaries of Special Agents, and for traveling and contingent expenses, an appropriation of \$5,000 was made by the Legislature to cover such expenses, etc., for the fifty-first and fifty-second fiscal years; and by law it is provided that not more than one half of such appropriation shall be expended during the fifty-first fiscal year. Of such one half, it will be seen that there remained, July 1, 1900, an unexpended balance of \$188.85, which is available, in connection with the last half of said appropriation of \$5,000, for the use of the Bureau during the fifty-second fiscal year.

It will be noted, again, that the statement shows an unexpended balance of \$785.75 in the appropriation for printing. The law requires the Bureau to have all of its printing done at the State Printing Office, and the Legislature appropriated \$1,750 to cover the expense of all printing required by the Bureau during the fifty-first and fifty-second fiscal years. For purposes of computation, one half of the said \$1,750, or \$875, was, in the foregoing statement, credited to the fifty-first fiscal year. Now, however, the expense of printing the Biennial Report of the Bureau must come from the said appropriation of \$1,750. The probable cost of such printing will be about \$1,500; hence it is seen that by the time the said statement is published, there will remain in the printing fund of the Bureau no more than enough to meet the expense of the ordinary printing of the Bureau during the remainder of the fifty-second fiscal year.

LABOR LAWS

OF THE

STATE OF CALIFORNIA.

LABOR LAWS OF THE STATE OF CALIFORNIA.

Board of Arbitration and Conciliation.

(Stats. of Cal. 1891, p. 49.)

SECTION 1. On or before the first day of May of each year, the Governor of the State shall appoint three competent persons to serve as a State Board of Arbitration and Conciliation. One shall represent the employers of labor, one shall represent labor employes, and the third member shall represent neither, and shall be chairman of the board. They shall hold office for one year and until their successors are appointed and qualified. If a vacancy occurs, as soon as possible thereafter the Governor shall appoint some one to serve the unexpired term; *provided, however,* that when the parties to any controversy or difference, as provided in section two of this Act, do not desire to submit their controversy to the State board, they may by agreement each choose one person, and the two shall choose a third, who shall be chairman and umpire, and the three shall constitute a Board of Arbitration and Conciliation for the special controversy submitted to it, and shall for that purpose have the same powers as the State board. The members of the said board or boards, before entering upon the duties of their office, shall be sworn to faithfully discharge the duties thereof. They shall adopt such rules of procedure as they may deem best to carry out the provisions of this Act.

SEC. 2. Whenever any controversy or difference exists between an employer, whether an individual, co-partnership, or corporation, which, if not arbitrated, would involve a strike or lockout, and his employes, the board shall, upon application, as hereinafter provided, and as soon as practicable thereafter, visit, if necessary, the locality of the dispute and make careful inquiry into the cause thereof, hear all persons interested therein who may come before them, advise the respective parties what, if anything, ought to be done or submitted to by either, or both, to adjust said dispute, and make a written decision thereof. This decision shall at once be made public, and shall be recorded upon proper books of record to be kept by the board.

SEC. 3. Said application shall be signed by said employer, or by a majority of his employes in the department of the business in which the controversy or difference exists, or their duly authorized agent, or by both parties, and shall contain a concise statement of the grievances complained of, and a promise to continue on in business or at work,

without any lockout or strike, until the decision of said board, which must, if possible, be made within three weeks of the date of filing the application. Immediately upon receipt of said application, the chairman of said board shall cause public notice to be given of the time and place for hearing. Should the petitioners fail to keep the promise made therein, the board shall proceed no further thereupon without the written consent of the adverse party. And the party violating the contract shall pay the extra cost of the board entailed thereby. The board may then reopen the case and proceed to the final arbitration thereof as provided in section two hereof.

SEC. 4. The decision rendered by the board shall be binding upon the parties who join in the application for six months, or until either party has given the other a written notice of his intention not to be further bound by the conditions thereof after the expiration of sixty days or any time agreed upon by the parties, which agreement shall be entered as a part of the decision. Said notice may be given to the employés by posting a notice thereof in three conspicuous places in the shop or factory where they work.

SEC. 5. Both employers and employés shall have the right at any time to submit to the board complaints or grievances, and ask for an investigation thereof. The board shall decide whether the complaint is entitled to a public investigation, and if they decide in the affirmative, they shall proceed to hear testimony, after giving notice to all parties concerned, and publish the result of their investigations as soon as possible thereafter.

SEC. 6. The arbitrators hereby created shall be paid five dollars per day for each day of actual service, and also their necessary traveling and other expenses incident to the duties of their office shall be paid out of the State treasury; but the expenses and salaries hereby authorized shall not exceed the sum of twenty-five hundred dollars for the two years.

Bureau of Labor Statistics.

(Stats. of Cal. 1883, p. 6. As amended, Stats. of Cal. 1889, p. 8.)

SECTION 1. As soon as possible after the passage of this Act, and four years hereafter, the Governor of the State shall appoint a suitable person to act as Commissioner of a Bureau of Labor Statistics. The headquarters of said Bureau shall be located in the City and County of San Francisco; said Commissioner to serve for four years, and until his successor is appointed and qualified.

* * * * *

SEC. 3. The duties of the Commissioner shall be to collect, assort, systematize, and present in biennial reports to the Legislature statistical

details relating to all departments of labor in the State, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending upon daily labor for their support, the probable chances of all being employed, the operation of labor-saving machinery in its relation to hand labor, etc. Said statistics may be classified as follows:

1. In agriculture;
2. In mechanical and manufacturing industries;
3. In mining;
4. In transportation on land and water;
5. In clerical and all other skilled and unskilled labor not above enumerated;
6. The amount of cash capital invested in lands, buildings, machinery, material, and means of production and distribution generally;
7. The number, age, sex, and conditions of persons employed; the nature of their employment; the extent to which the apprenticeship system prevails in the various skilled industries; the number of hours of labor per day; the average length of time employed per annum, and the net wages received in each of the industries and employments enumerated;
8. The number and condition of the unemployed, their age, sex, and nationality, together with the causes of their idleness;
9. The sanitary condition of lands, workshops, dwellings, the number and size of rooms occupied by the poor, etc.; the cost of rent, fuel, food, clothing, and water in each locality of the State; also, the extent to which labor-saving processes are employed to the displacement of hand labor.
10. The number and condition of the Chinese in the State; their social and sanitary habits; number of married and of single; the number employed and the nature of their employment; the average wages per day at each employment, and the gross amount yearly; the amounts expended by them in rent, food, and clothing, and in what proportion such amounts are expended for foreign and home productions, respectively; to what extent their employment comes in competition with the white industrial classes of the State;
11. The number, condition, and nature of the employment of the inmates of the State prison, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans, and laborers outside of these institutions;
12. All such other information in relation to labor as the Commissioner may deem essential to further the object sought to be obtained by this statute, together with such strictures on the condition of labor and the probable failure of the same, as he may deem good and salutary to insert in his biennial report.

SEC. 4. It shall be the duty of all officers of State departments, and the Assessors of the various counties of the State, to furnish, upon the written request of the Commissioner, all the information in their power necessary to assist in carrying out the objects of this Act; and all printing required by the Bureau in the discharge of its duty shall be performed by the State printing department, and at least three thousand copies of the printed report shall be furnished the Commissioner for free distribution to the public.

SEC. 5. Any person who willfully impedes or prevents the Commissioner, or his deputy, in the full and free performance of his or their duty, shall be guilty of a misdemeanor, and upon conviction of the same shall be fined not less than ten (10) nor more than fifty (50) [dollars], or imprisoned not less than seven (7) nor more than thirty (30) days in the county jail, or both.

SEC. 6. * * * The officers [of the Bureau] * * * shall give to all persons requesting it all needed information which they may possess.

SEC. 7 (as amended by Chapter X, Acts of 1889). The Commissioner shall have power to send for persons and papers whenever in his opinion it is necessary, and he may examine witnesses under oath, being hereby qualified to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of said Commissioner; he shall have free access to all places and works of labor, and any principal, owner, operator, manager, or lessee of any mine, factory, workshop, warehouse, manufacturing or mercantile establishment, or any agent or employé of such principal, owner, operator, manager, or lessee, who shall refuse to said Commissioner, or his duly authorized representative, admission therein, or who shall, when requested by him, willfully neglect or refuse to furnish to him any statistics or information pertaining to his lawful duties which may be in the possession, or under the control of said principal, owner, operator, lessee, manager, or agent thereof, shall be punished by a fine of not less than fifty (50) nor more than two hundred (200) dollars.

SEC. 8 (added by Chapter X, Acts of 1889). No use shall be made in the reports of the Bureau of the names of individuals, firms, or corporations supplying the information called for by this Act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs; and any agent or employé of said Bureau violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six (6) months.

SEC. 9 (as amended by Chapter X, Acts of 1889). The Commissioner shall appoint a deputy, who shall have the same powers as the said

Commissioner, and such agents and assistants, not exceeding three, as he may from time to time require. * * *

Chinese Labor—Employment of, etc.

Sections 2, 3, and 4 of Article XIX, Constitution of California, 1879; and Sections 178 and 179 of Penal Code of California, all relating to prohibition of the employment of Chinese on State, municipal, or other public works, or by corporations, held unconstitutional. (*In re Tiburcio Parrott*, 1 Federal Reporter, 481.)

Product of Chinese Labor Not to be Bought by State Officials.

(Political Code of California.)

SEC. 3235 (added by Chapter CLIII, Acts of 1887). No supplies of any kind or character, "for the benefit of the State, or to be paid for by any moneys appropriated or to be appropriated by the State," manufactured or grown in this State, which are in whole or in part the product of Mongolian labor, shall be purchased by the officials of the State having the control of any public institution under the control of the State, or of any county, city and county, city, or town thereof.

Exclusion of Chinese.

Act relating to exclusion of Chinese from the State of California, appearing in Stats. of Cal. 1891, p. 185, held unconstitutional by the Supreme Court of California in *ex parte Ah Cue*, 101 Cal. 197.

Convict Labor—Contract System Prohibited.

(Constitution of California, Article X.)

SEC. 6. After the first day of January, eighteen hundred and eighty-two, the labor of convicts shall not be let out by contract to any person, co-partnership, company, or corporation, and the Legislature shall, by law, provide for the working of convicts for the benefit of the State.

Convict Labor.

(Stats. of Cal. 1889, p. 404.)

SEC. 18. All convicts may be employed by authority of the Board of Directors, under charge of the Wardens, respectively, and such skilled

foremen as he may deem necessary, in the performance of the work for the State, or in the manufacture of any article or articles for the State, or the manufacture of which is sanctioned by law. At San Quentin, no articles shall be manufactured for sale except jute fabrics. At Folsom, after the completion of the dam and canal, the board may commence the erection of structures for jute-manufacturing purposes. The Board of Directors are hereby authorized to purchase, from time to time, such tools, machinery, and materials, and to direct the employment of such skilled foremen as may be necessary to carry out the provisions of this section, and to dispose of the articles manufactured, and not needed by the State, for cash, at private sale, in such manner as provided by law.

SEC. 20. The State Board of Prison Directors shall require of every able-bodied convict confined in a State prison as many hours of faithful labor in each and every day during his term of imprisonment as shall be prescribed by the rules and regulations of the prison. * * *

(Stats. of Cal. 1897, p. 457.)

SEC. 25. The Boards of Supervisors (county) in their respective counties, have jurisdiction and power, under such limitations and restrictions as are prescribed by law :

* * * * *

29. To provide for the working of prisoners confined in the county jail, under judgment of conviction of misdemeanor, under the direction of some responsible person, to be appointed by the Sheriff, whose compensation shall not exceed one hundred dollars per month, upon the public grounds, roads, streets, alleys, highways, or public buildings, or in such other places as may be deemed advisable, for the benefit of the county.

Price and Conditions of Sale of Convict-Made Goods.

(Stats. of Cal. 1893, p. 54.)

SECTION 1. It shall be the duty of the State Board of Prison Directors from time to time, to fix the price, and to give public notice of the same, at which jute goods shall be sold by the State, but at no time shall the price fixed be more than one cent per bag in excess of the net cost of producing the same, exclusive of prison labor; and it is made the duty of the State prison authorities to confine the sale of jute goods to consumers direct, but no order shall be filled for any one individual or firm, during any one year, for more than five thousand grain bags, except on request of the Warden, and the unanimous approval of the State Board of Prison Directors.

SEC. 2. Demands for jute goods by consumers shall be promptly filled in the order in which they are made; but when the supply is

short, demands shall be registered at the prison in the order of their arrival, and filled from the output of the jute mill in the order of registration; *provided*, that on and after the fifteenth of June of each year, by and with the consent of the majority of the Board of Prison Directors, the Warden may fill orders for larger quantities to actual consumers, as they may, in their judgment, deem expedient; *provided*, that orders of farmers shall take precedence over all others; *provided further*, that ten per cent of the purchase price shall accompany each order, and the remaining portion must be paid upon the delivery of the goods.

SEC. 3. All orders for jute goods must be accompanied by an affidavit setting forth that the amount of goods contained in the order are for individual and personal use of the applicant, said affidavit to be subscribed and sworn to before some notary public or by a justice of the peace, residing in the township in which the applicant resides; *provided*, that any applicant, as heretofore provided for, who falsely or fraudulently procures jute goods under the provisions of this Act shall be guilty of a misdemeanor.

Convict Labor on Public Roads.

(Stats. of Cal. 1897, p. 6.)

SECTION 1. The State Prison Directors of the State of California are hereby authorized and directed, during the four years next succeeding the passage of this Act, to employ at least twenty prisoners daily, during fair weather, in the construction and repair of such public roads as have been, or shall hereafter be, laid out or opened by the Board of Supervisors of Marin County, and which extend from the San Quentin State Prison, or the grounds surrounding the same, to Point Tiburon and all railroad stations in Marin County which lie in the neighborhood of the said State prison.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Convict Labor—Preparation of Road Metal.

(Stats. of Cal. 1895, p. 274.)

SECTION 1. The Governor of the State, the State Prison Directors, and the Bureau of Highways (or if the latter shall not be established, then and in that case the two first named) shall, when satisfied that fifty thousand cubic yards of prepared road or highway metal, as hereinafter described, will be taken for highway purposes, purchase, establish, and operate at one or both of the State prisons, a rock or stone crushing plant, to be operated by convict labor and by the application of power under control of the State Prison Directors, and with such free

labor as is necessary for superintendence and direction, to crush rock or stone into road metal for highway purposes, of different and necessary degrees of fineness; *provided*, that the authority and direction hereby and herein conferred and given, shall not be exercised or employed until the Governor and State Prison Directors are satisfied that transportation can be had for such highway metal for highway purposes at just and reasonable rates, and so as to justify the setting up and operation herein provided for of said plant.

Board of Prison Directors to Control Rock-Crushing Plant at Folsom.

(Stats. of Cal. 1897, p. 99.)

SECTION 1. The State Board of Prison Directors shall regulate, govern, and have full control of the rock or stone crushing plant established at the State Prison at Folsom, the product thereof, the revenues derived therefrom, and all appropriations of money therefor.

SEC. 2. The plant shall be operated by convict labor, and by the application of the mechanical and water power belonging to the State Prison at Folsom, together with such free labor as the State Board of Prison Directors may deem necessary for superintending, directing, and guarding the convicts employed thereon.

SEC. 3. The State Board of Prison Directors are hereby empowered and authorized to sell and to otherwise dispose of the crushed-rock product of the said plant; *provided*, that in all cases preference shall be given to orders received from the Bureau of Highways for crushed rock for road metal for highway purposes.

SEC. 4. The sale price of all crushed rock sold for road metal for highway purposes shall be the cost of production, with ten per centum added, delivered on board cars or other vehicles of transportation at the rock-crushing plant; *provided*, that no rock shall be sold for highway or other purposes for a less price than thirty cents per ton.

SEC. 5. The cost of production shall be ascertained by estimating the cost of explosives, oil, fuel, tools, repairs, free labor, supplementary machinery, the preparation and maintenance of beds, boxes, crates, or other unloading devices for carriage to and delivery from cars, of said crushed rock, the leasing of railroad cars, and the cost of such other materials, supplies, and expenses as may be required and used in producing each ton of crushed rock ready for sale delivery.

SEC. 6. The State Board of Prison Directors are hereby authorized to lease railroad cars, with equipments suitable for the rapid and economical handling and delivery of crushed rock, prepared as aforesaid, whenever in their judgment the interest of the people of the State will be conserved thereby, in the matter of highway construction by the use of said

crushed rock. The cost of said leasing shall be carried into the cost of production described in section five.

SEC. 7. The amount of five thousand dollars heretofore appropriated is hereby set apart to and for the usage of the State Board of Prison Directors, to provide and maintain a permanent revolving fund for the purpose of operating and maintaining the rock-crushing plant at Folsom Prison. The money taken from said revolving fund shall be used exclusively for operating and maintaining the said rock-crushing plant. So much of the money received from the sale of crushed rock as shall be necessary to that end, shall be returned to said revolving fund, as it is needed, to keep the same constantly at the said figure of five thousand dollars.

SEC. 8. Whenever the revolving fund shall be replenished, and there shall be a surplus, or balance, over the amount appropriated, this surplus, or balance, shall be paid, not less frequently than semi-annually, into the State treasury, to the credit of the fund known as "The State Prison Fund of Folsom Prison," for the use and support of Folsom Prison.

SEC. 9. The clerk of the State Prison at Folsom shall keep such records, books, and accounts as may be necessary to at all times clearly exhibit the financial business and other transactions of the said rock-crushing plant. All such records, books, and accounts shall be kept separate and distinct from those relating to other prison affairs.

SEC. 10. For all sums of money herein required to be paid, drafts shall be drawn on the Controller of the State, signed by at least three members of the State Board of Prison Directors. Said drafts shall be sent to the State Board of Examiners, to be by them approved, and after approval by said State Board of Examiners, the Controller of State shall draw his warrant in behalf of said State Board of Prison Directors on the State Treasurer, who shall pay the same, on presentation of such warrant; *provided*, that the State Board of Examiners is hereby expressly prohibited from approving of any of said drafts until the same are presented with itemized statements, showing specifically the services rendered, by whom performed, time employed, distance traveled, and necessary expenses thereof; if for articles purchased, the said statement shall give the name of each article, together with the price paid for each, and of whom purchased, together with the date purchased.

SEC. 11. If any of the buildings, machinery, or structures appertaining to or comprising the said rock-crushing plant are destroyed in any way, or injured by fire or otherwise, they may be rebuilt or repaired immediately, under the direction of the State Board of Prison Directors, by and with the consent solely of the Governor, the Attorney-General, and the Secretary of State, and the expenses thereof, not to exceed in amount the sum of ten thousand dollars, shall be paid out of any funds in the State treasury not otherwise appropriated by law, and the provisions of

no other Act shall apply to or govern or limit this section, or any of the powers or duties herein conferred.

SEC. 12. The State Board of Prison Directors are hereby authorized and empowered to perform such other acts and duties as may be necessary to carry out the full intent and meaning of this Act.

SEC. 13. All Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SEC. 14. This Act shall take effect immediately.

Co-operative Associations.

(Stats. of Cal. 1895, p. 221.)

SECTION 1. It shall be lawful for five or more persons to form a coöperative association for the purpose of transacting any lawful business. Such associations shall not have or issue any capital stock, but shall issue membership certificates to each member thereof, and such membership certificate cannot be assigned so that the transferee thereof can by such transfer become a member of the association except by the resolution of the board of directors of the association. But by the resolution of consent of the board of directors, such certificate may be transferred, so that the transferee may become a member in lieu of the last former holder thereof.

SEC. 2. In such association the rights and interest of all members shall be equal, and no member can have or acquire a greater interest therein than any other member has. At every election held pursuant to the by-laws each member shall be entitled to cast one vote and no more. All persons above the age of eighteen years, regardless of sex, shall be eligible to membership, if otherwise qualified and elected as the by-laws may provide. The by-laws shall provide for the amount of the indebtedness which such association may incur. And no member shall be responsible individually, or personally liable, for any of the debts or liabilities of the association in excess of his proportion of such indebtedness; but in case of the failure and insolvency of such association, may be required to pay any unpaid dues or installments which have, before such insolvency, become due from such member to the association, pursuant to its by-laws.

SEC. 3. Every association formed under this Act shall prepare articles of association, in writing, which shall set forth: The name of the association, the purpose for which it is formed, the place where its principal business is to be transacted, the term for which it is to exist (not to exceed fifty years), the number of the directors thereof, and the name and residence of those selected for the first year, the amount which each member is to pay upon admission as membership fee, and that each

member signing the articles has actually paid in such sum, and that the interest and right of each member therein is to be equal. Such articles of association must be subscribed by the original associates or members, and acknowledged by each before some person competent to take an acknowledgment of a deed in this State. Such articles so subscribed and acknowledged shall be filed in the office of the Secretary of State, who shall furnish a certified copy thereof, which shall be filed in the office of the County Clerk of the county where the principal business of such association is to be transacted; and from the time of such filing in the office of the said County Clerk the association shall be complete, and shall have and exercise all the powers for which it was formed.

SEC. 4. Every association formed under this Act must within forty days after it shall so become an association, adopt a code of by-laws for the government and management of the association, not inconsistent with this Act. A majority of all the associates shall be necessary to the adoption of such by-laws, and the same must be written in a book and subscribed by the members adopting the same; and the same cannot be amended or modified except by the vote of a majority of all the members, after notice of the proposed amendment shall be given, as the by-laws may provide. Such association may, by its code of by-laws, provide for the time, place, and manner of calling and conducting its meetings; the number of directors, the time of their election, their term of office, the mode and manner of their removal, the mode and manner of filling vacancies in the board caused by death, resignation, removal, or otherwise, and the power and authority of such directors, and how many thereof shall be necessary to the exercise of the powers of such directors, which must be at least a majority; the compensation of any of the directors, or of any officers; the number of the officers, if any, other than the directors, and their term of office; the mode of removal, and the method of filling a vacancy; the mode and manner of conducting business; the mode and manner of conducting elections, and may provide for voting by ballots forwarded by mail or otherwise; *provided*, the method shall secure the secrecy of the ballot; the mode and manner of succession of membership, and the qualifications for membership, and on what conditions, and when membership shall cease, and the mode and manner of expulsion of a member, subject to the right that an expelled member shall have a right to have the board of directors appraise his interest in the association in either money, property, or labor, as the directors shall deem best, and to have the money, property, or labor so awarded him paid, or delivered, or performed within forty days after expulsion; the amount of membership fee, and the dues, installments, or labor which each member shall be required to pay or perform, if any, and the manner of collection or enforcement, and for forfeiting or selling of membership interest for non-payment or non-

performance; the method, time, and manner of permitting the withdrawal of a member, if at all, and how his interest shall be ascertained, either in money or property, and within what time the same shall be paid or delivered to such member; the mode and manner of ascertaining the interest of a member at his death, if his legal representatives or none of them desire to succeed to the membership, and whether the same shall be paid to his legal representatives in money, or property, or labor, and within what time the same shall be paid, or delivered, or performed; such other things as may be proper to carry out the purpose for which the association was formed.

SEC. 5. The by-laws and all amendments must be recorded in a book and kept in the office of the association, and a copy, certified by the directors, must be filed in the office of the County Clerk where the principal business is transacted.

SEC. 6. The property of such association shall be subject to judgment and execution for the lawful debts of the association. The interest of a member in such association, if sold upon execution, or any judicial or governmental order whatever, cannot authorize the purchaser to have any right, except to succeed, as a member in the association, with the consent of the directors, to the rights of the member whose interest is thus sold. If the directors shall choose to pay or settle the matter after such sale, they may either cancel the membership, and add the interest thus sold to the assets or common property of the association, or reissue the share or right to a new member upon proper payment therefor, as the directors may determine.

SEC. 7. The purpose of the business may be altered, changed, modified, enlarged, or diminished by a vote of two thirds of all the members, at a special election to be called for such purpose, of which notice must be given the same as the by-laws shall provide for the election of directors.

SEC. 8. The by-laws shall provide for the time and manner in which profits shall be divided between the members, and what proportion of the profits, if any, shall be added to the common property or funds of the association. But the by-laws may provide that the directors may suspend or pass the payment of any such profit, or installment of earnings, at their discretion.

SEC. 9. Every association formed under this Act shall have power of succession by its associate name for fifty years; to, in such name, sue and be sued in any court; to make and use a common seal, and alter the same at pleasure; to receive by gift, devise, or purchase, hold, and convey real and personal property, as the purposes of the association may require; to appoint such subordinate agents or officers as the business may require; to admit associates or members, and to sell or forfeit their interest in the association for default of installments, or dues, or

work, or labor required, as provided by the by-laws; to enter into any and all lawful contracts or obligations essential to the transaction of its affairs, for the purpose for which it was formed, and to borrow money, and issue all such notes, bills, or evidences of indebtedness or mortgage as its by-laws may provide for; to trade, barter, buy, sell, exchange, and to do all other things proper to be done for the purpose of carrying into effect the objects for which the association is formed.

SEC. 10. Two or more associations formed and existing under this Act may be consolidated together, upon such terms, and for such purposes, and by such name, as may be agreed upon, in writing, signed by two thirds of the members of each such association. Such agreement must also state all the matters necessary to articles of association, and must be acknowledged by the signers before an officer competent to take an acknowledgment of deeds in this State, and be filed in the office of the Secretary of State, and a certified copy thereof be filed in the office of the County Clerk of the county where its principal business is to be transacted; and from and after the filing of such certified copy, the former associations comprising component parts shall cease to exist, and the consolidated association shall succeed to all the rights, duties, and powers of the component associations, and be possessed of all the rights, duties, and powers prescribed in the agreement of the consolidated association not inconsistent with this Act, and shall be subject to all the liabilities and obligations of the former component associations, and succeed to all the property and interests thereof, and may make by-laws and do all things permitted by this Act.

SEC. 11. Any association formed or consolidated under this Act may be dissolved and its affairs wound up voluntarily by the written request of two thirds of the members. Such requests shall be addressed to the directors, and shall specify reasons why the winding-up of the affairs of the association is deemed advisable, and shall name three persons who are members to act in liquidation and in winding-up the affairs of the association, a majority of whom shall thereupon have full power to do all things necessary to liquidation; and upon the filing of such request with the directors, and a copy thereof in the office of the County Clerk of the county where the principal business is transacted, all power of the directors shall cease and the persons appointed shall proceed to wind-up the association, and realize upon its assets, and pay its debts, and divide the residue of its money among the members, share and share alike, within a time to be named in said written request, or such further time as may be granted them by two thirds of the members, in writing, filed in the office of said County Clerk; and upon the completion of such liquidation the said association shall be deemed dissolved. No receiver of any such association, or of any property thereof, or of any right therein, can be appointed by any court, upon

the application of any member, save after judgment of dissolution for usurping franchises at the suit of the State of California by its Attorney-General.

SEC. 12. The right of any association claiming to be organized under this Act to do business may be inquired into by quo warranto, at the suit of the Attorney-General of this State, but not otherwise.

SEC. 13. This Act being passed to promote association for mutual welfare, the words "lawful business" shall extend to every kind of lawful effort for business, educational, industrial, benevolent, social, or political purposes, whether conducted for profit or not, and this Act shall not be strictly construed, but its provisions must at all times be liberally construed, with a view to effect its object and to promote its purposes.

Definition of Employment.

(Civil Code of California.)

SEC. 1965. The contract of employment is a contract by which one, who is called the employer, engages another, who is called the employé, to do something for the benefit of the employer or of a third person.

Hours of Labor.

(Political Code of California.)

SEC. 3244 (as amended by Chapter LXXXV, Acts of 1887). Eight hours of labor constitute a day's work, unless it is otherwise expressly stipulated by the parties to a contract, except those contracts within the provisions of sections three thousand two hundred and forty-six, three thousand two hundred and forty-seven, and three thousand two hundred and forty-eight of this Code.

SEC. 3245. See "Public Work."

SEC. 3246 (added by Chapter LXXXV, Acts of 1887). Twelve hours' labor constitutes a day's work on the part of drivers, and conductors, and gripmen of street-cars for the carriage of passengers. Any contract for a greater number of hours' labor in one day shall be and is void, at the option of the employé, without regard to the terms of employment, whether the same be by the hour, day, week, month, or any other period of time, or by or according to the trip or trips that the car may, might, or can make between the termini of the route, or any less distance thereof. Any and every person laboring over twelve hours in one day as driver, or conductor, or gripman on any street railroad, shall receive from his employer thirty cents for each hour's labor over twelve hours in each day.

Sec. 3247 (added by Chapter XLIX, Acts of 1897). Any person, committee, board, officer, or any other person charged with the purchase, or permitted or authorized to purchase supplies, goods, wares, merchandise, manufactures, or produce, for the use of the State, or of any of its institutions or officers, or for the use of any county, or consolidated city and county, or city, or town, shall always, price, fitness, and quality being equal, prefer such supplies, goods, wares, merchandise, manufactures, or produce as has been grown, manufactured, or produced in this State, and shall next prefer such as has been partially so manufactured, grown, or produced in this State. All State, county, city and county, city, or town officers, all boards, commissions, or other persons charged with advertising for any such supplies, shall state in their advertisement that such preferences will be made. In any such advertisement no bids shall be asked for any article of a specified brand or mark, nor any patent apparatus or appliance, when such requirement would prevent proper competition on the part of dealers in other articles of equal value, utility, or merit.

Sec. 3248 (in effect March 11, 1887). In actions under section three thousand two hundred and forty-six of this Code the complaint may be in the following form: Title of cases and venue. Plaintiff complains of defendant, and for cause of action states: That between (stating first and last dates), he worked for defendant as conductor, driver, or gripman, on defendant's street railroad in (stating place), for (stating number of days), at the agreed rate of (stating price) per day, week, or month, and for such labor defendant has paid plaintiff the sum of (stating sum due) due plaintiff from defendant for said labor. The plaintiff further states that during the said period of time he worked for defendant as such (conductor, driver, or gripman), on sundry days and performed (stating number of hours) hours' work in excess of twelve hours in one day, for which there is due plaintiff from defendant the sum of (stating the sum due), and costs.

Sec. 3249 (added by Chapter LXXXV, Acts of 1887). The provisions of sections three thousand two hundred and forty-seven * * * of this Code are applicable to every contract to labor made by the persons named in section three thousand two hundred and forty-six.

Sec. 3250 (added by Chapter LXXXV, Acts of 1887). No person shall be employed as conductor, or driver, or gripman, on any street railroad, for more than twelve hours in one day, except as in this Act provided; and any corporation, or company, or owner, or agent, or superintendent, who knowingly employs any person in such capacity for more than twelve hours in one day, in violation of the terms of this Act, shall forfeit the sum of fifty dollars as a penalty for such offense, to the use of the person prosecuting any action therefor, and any number of forfeits may be prosecuted in one action.

Time to Vote to be Allowed Employes.

(Political Code of California.)

SEC. 1212 (as amended by Chapter CXXX, Acts of 1891). Any person entitled to vote at a general election held within this State shall, on the day of such election, be entitled to absent himself from any service or employment in which he is then engaged, or employed, for the period of two consecutive hours, between the time of opening and the time of closing the polls; and such voter shall not, because of so absenting himself, be liable to any penalty, nor shall any deduction be made, on account of such absence, from his usual salary or wages.

Obligations of Employer.

(Civil Code of California.)

SEC. 1969. An employer must indemnify his employé, except as prescribed in the next section, for all that he necessarily expends or loses in direct consequence of the discharge of his duties as such, or of his obedience to the directions of the employer, even though unlawful, unless the employé, at the time of obeying such directions, believed them to be unlawful.

SEC. 1970. An employer is not bound to indemnify his employé for losses suffered by the latter in consequence of the ordinary risks of the business in which he is employed, nor in consequence of the negligence of another person employed by the same employer in the same general business, unless he has neglected to use ordinary care in the selection of the culpable employé.

SEC. 1971. An employer must in all cases indemnify his employés for losses caused by the former's want of ordinary care.

Obligations of Employe.

(Civil Code of California.)

SEC. 1975. One who, without consideration, undertakes to do a service for another, is not bound to perform the same, but if he actually enters upon its performance, he must use at least slight care and diligence therein.

SEC. 1976. One who, by his own special request, induces another to intrust him with the performance of a service, must perform the same fully. In other cases, one who undertakes a gratuitous service may relinquish it at any time.

SEC. 1977. A gratuitous employé who accepts a written power of

attorney must act under it so long as it remains in force, or until he gives notice to his employer that he will not do so.

SEC. 1978. One who, for a good consideration, agrees to serve another must perform the service, and must use ordinary care and diligence therein, so long as he is thus employed.

SEC. 1979. One who is employed at his own request to do that which is more for his own advantage than for that of his employer must use great care and diligence therein to protect the interest of the latter.

SEC. 1980. A contract to render personal service, other than a contract of apprenticeship, * * * can not be enforced against the employé beyond the term of two years from the commencement of service under it; but if the employé voluntarily continues his service under it beyond that time, the contract may be referred to as affording a presumptive measure of the compensation.

SEC. 1981. An employé must substantially comply with all the directions of his employer concerning the service on which he is engaged, except where such obedience is impossible or unlawful, or would impose new and unreasonable burdens upon the employé.

SEC. 1982. An employé must perform his service in conformity to the usage of the place of performance, unless otherwise directed by his employer, or unless it is impracticable, or manifestly injurious to his employer to do so.

SEC. 1983. An employé is bound to exercise a reasonable degree of skill, unless his employer has notice, before employing him, of his want of skill.

SEC. 1984. An employé is always bound to use such skill as he possesses, so far as the same is required, for the service specified.

SEC. 1985. Everything which an employé acquires by virtue of his employment, except the compensation, if any, which is due to him from his employer, belongs to the latter, whether acquired lawfully or unlawfully, or during or after the expiration of the term of his employment.

SEC. 1986. An employé must, on demand, render to his employer just accounts of all his transactions in the course of his service, as often as may be reasonable, and must, without demand, give prompt notice to his employer of everything which he receives for his account.

SEC. 1987. An employé who receives anything on account of his employer, in any capacity other than that of a mere servant, is not bound to deliver to him until demanded, and is not at liberty to send it to him from any distance, without demand, in any mode involving greater risk than its retention by the employé himself.

SEC. 1988. An employé who has any business to transact on his own account, similar to that entrusted to him by his employer, must always give the latter the preference.

SEC. 1989. An employé who is expressly authorized to employ a

substitute is liable to his principal only for want of ordinary care in his selection. The substitute is directly responsible to the principal.

SEC. 1990. An employé who is guilty of a culpable degree of negligence is liable to his employer for the damage thereby caused to the latter; and the employer is liable to him, if the service is not gratuitous, for the value of such services only as are properly rendered.

SEC. 1991. Where service is to be rendered by two or more persons jointly, and one of them dies, the survivor must act alone, if the service to be rendered is such as he can rightly perform without the aid of the deceased person, but not otherwise.

Termination of Employment.

(Civil Code of California.)

SEC. 1996. Every employment in which the power of the employé is not coupled with an interest in its subject is terminated by notice to him of: (1) The death of the employer; or, (2) His legal incapacity to contract.

SEC. 1997. Every employment is terminated: (1) By the expiration of its appointed term; (2) By the extinction of its subject; (3) By the death of the employé; or, (4) By his legal incapacity to act as such.

SEC. 1998. An employé, unless the term of his service has expired, or unless he has a right to discontinue it at any time without notice, must continue his service after notice of the death or incapacity of his employer, so far as is necessary to protect from serious injury the interests of the employer's successor in interest until a reasonable time after notice of the facts have been communicated to such successor. The successor must compensate the employé for such service according to the terms of the contract of employment.

SEC. 1999. An employment having no specified term may be terminated at the will of either party, on notice to the other, except where otherwise provided by this title.

SEC. 2000. An employment, even for a specified term, may be terminated at any time by the employer, in case of any willful breach of duty by the employé in the course of his employment, or in case of his habitual neglect of his duty or continued incapacity to perform it.

SEC. 2001. An employment, even for a specified term, may be terminated by the employé at any time, in case of any willful or permanent breach of the obligations of his employer to him as an employé.

SEC. 2002. An employé, dismissed by his employer for good cause, is not entitled to any compensation for services rendered since the last day upon which a payment became due to him under the contract.

SEC. 2003. An employé who quits the service of his employer for good cause is entitled to such proportion of the compensation which would become due in case of full performance as the services which he has already rendered bear to the services which he was to render as full performance.

Master and Servant.

(Civil Code of California.)

SEC. 2009. A servant is one who is employed to render personal service to his employer, otherwise than in the pursuit of an independent calling, and who in such service remains entirely under the control and direction of the latter, who is called his master.

SEC. 2010. A servant is presumed to have been hired for such length of time as the parties adopt for the estimation of wages. A hiring at a yearly rate is presumed to be for one year; a hiring at a daily rate for one day; a hiring by piece work, for no specified term.

SEC. 2011. In the absence of any agreement or custom as to the term of service, the time of payment, or rate or value of wages, a servant is presumed to be hired by the month, at a monthly rate of reasonable wages, to be paid when the service is performed.

SEC. 2012. Where after the expiration of an agreement respecting the wages and the term of service, the parties continue the relation of master and servant, they are presumed to have renewed the agreement for the same wages and term of service.

SEC. 2013. The entire time of a domestic servant belongs to the master; and the time of other servants to such an extent as is usual in the business in which they serve, not exceeding in any case ten hours in the day.

SEC. 2014. A servant must deliver to his master, as soon as with reasonable diligence he can find him, everything that he receives for his account, without demand; but he is not bound, without orders from his master, to send anything to him through another person.

SEC. 2015. A master may discharge any servant, other than an apprentice, whether engaged for a fixed term or not:

1. If he is guilty of misconduct in the course of his service, or of gross immorality, though unconnected with the same; or

2. If, being employed about the person of the master, or in a confidential position, the master discovers that he has been guilty of misconduct, before or after the commencement of his service, of such nature that, if the master had known or contemplated it, he would not have so employed him.

Mates and Seamen.

(Civil Code of California.)

SEC. 2049. All persons employed in the navigation of a ship, or upon a voyage, other than the master and mate, are to be deemed seamen within the provisions of this Code.

SEC. 2050. The mate and seaman of a ship are engaged by the master, and may be discharged by him at any period of the voyage, for willful and persistent disobedience or gross disqualification, but cannot otherwise be discharged before the termination of the voyage.

SEC. 2051. A mate or seaman is not bound to go to sea in a ship that is not seaworthy; and if there is reasonable doubt of its seaworthiness, he may refuse to proceed until a proper survey has been had.

SEC. 2052. A seaman cannot, by reason of any agreement, be deprived of his lien upon the ship, or of any remedy for the recovery of his wages to which he would otherwise have been entitled. Any stipulation by which he consents to abandon his right to wages in case of the loss of the ship, or to abandon any right he may have or obtain in the nature of salvage, is void.

SEC. 2054. Except as hereinafter provided, the wages of seamen are due when and so far only as freightage is earned, unless the loss of freightage is owing to the fault of the owner or master.

SEC. 2055. The right of a mate or seaman to wages and provisions begins either from the time he begins work, or from the time specified in the agreement for his beginning work, or from his presence on board, whichever first happens.

SEC. 2056. Where a voyage is broken up before the departure of the ship, the seamen must be paid for the time they have served, and may retain for their indemnity such advances as they have received.

SEC. 2057. When a mate or seaman is wrongfully discharged, or is driven to leave the ship by the cruelty of the master on the voyage, it is then ended with respect to him, and he may thereupon recover his full wages.

SEC. 2058. In case of loss or wreck of the ship, a seaman is entitled to his wages up to the time of the loss or wreck, whether freightage has been earned or not, if he exerts himself to the utmost to save the ship, cargo, and stores.

SEC. 2063. Desertion of the ship without cause, or justifiable discharge by the master during the voyage for misconduct, or a theft of any part of the cargo or appurtenances of the ship, or a willful injury thereto or to the ship, forfeits all wages due for the voyage to a mate or seaman thus in fault.

SEC. 2064. A mate or seaman may not, under any pretext, ship goods on his own account without permission from the master.

Service Without Employment.

(Civil Code of California.)

SEC. 2078. One who officiously, and without the consent of the real or apparent owner of a thing, takes it into his possession for the purpose of rendering a service about it, must complete such service, and use ordinary care, diligence, and reasonable skill about the same. He is not entitled to any compensation for his service or expenses, except that he may deduct actual and necessary expenses incurred by him about such service from any profits which his service has caused the thing to acquire for its owner, and must account to the owner for the residue.

Negligence of Engineers of Steam Boilers, Etc.

(Penal Code of California.)

SEC. 349. Every engineer or other person having charge of any steam boiler, steam engine, or other apparatus for generating or employing steam, used in any manufactory, railroad, or other mechanical works, who willfully or from ignorance, or gross neglect, creates, or allows to be created, such an undue quantity of steam as to burst or break the boiler or engine, or apparatus, or cause any other accident whereby human life is endangered, is guilty of a felony.

Factories, Workshops, Etc.—Health of Employes.

(Stats. of Cal. 1889, p. 3.)

SECTION 1. Every factory, workshop, mercantile or other establishment, in which five or more persons are employed, shall be kept in a cleanly state, free from the effluvia arising from any drain, privy, or other nuisance, and shall be provided, within reasonable access, with a sufficient number of water-closets or privies for the use of persons employed therein. Whenever the persons employed as aforesaid are of different sexes, a sufficient number of separate and distinct water-closets or privies shall be provided for the use of each sex, which shall be plainly so designated, and no person shall be allowed to use any water-closet or privy assigned to persons of the other sex.

SEC. 2. Every factory or workshop in which five or more persons are employed shall be so ventilated while work is carried on therein that the air shall not become so exhausted as to be injurious to the health of the persons employed therein, and shall also be so ventilated as to render harmless, as far as practicable, all the gases, vapors, dust, or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

SEC. 3. No basement, cellars, underground apartments, or other place which the Commissioner of the Bureau of Labor Statistics shall condemn as unhealthy and unsuitable shall be used as a workshop, factory, or place of business in which any person or persons shall be employed.

SEC. 4. If in any factory or workshop any process of work is carried on by which dust, filaments, or injurious gases are generated or produced that are liable to be inhaled by the persons employed therein, and it appears to the Commissioner of the Bureau of Labor Statistics that such inhalation could, to a great extent, be prevented by the use of some mechanical contrivance, he shall direct that such contrivance shall be provided, and within a reasonable time it shall be so provided and used.

SEC. 5. Every person, firm, or corporation employing females in any manufacturing, mechanical, or mercantile establishment shall provide suitable seats for the use of the females so employed, and shall permit the use of such seats by them when they are not necessarily engaged in the active duties for which they are employed.

SEC. 6. Any person or corporation violating any of the provisions of this Act shall be punished by a fine of not less than fifty (50) nor more than one hundred (100) dollars for each offense.

SEC. 7. It shall be the duty of the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Protection of Employes as Members of Labor Unions.

(Penal Code of California.)

SEC. 679 (added by Chapter CXLIX, Acts of 1893). Any person or corporation within this State, or agent or officer on behalf of such person or corporation, who shall hereafter coerce or compel any person or persons to enter into an agreement, either written or verbal, not to join or become a member of any labor organization, as a condition of such person or persons securing employment or continuing in the employment of any such person or corporation, shall be guilty of a misdemeanor.

Purity of Elections and Protection of Free Suffrage.

(Stats. of Cal. 1893, p. 12.)

SEC. 19. It shall be unlawful for any person, directly or indirectly, by himself or through any other person—

* * * * *

2. To give, offer, or promise any office, place, or employment, or to

promise to procure, or endeavor to procure, any office, place, or employment, to or for any voter, or to or for any other person, in order to induce such voter to vote or refrain from voting at any election or to induce any voter to vote or refrain from voting at such election for any particular person or persons.

* * * * *

Every person who commits any of the offenses mentioned in this section is punishable, upon conviction thereof, by imprisonment in the State prison for not less than one year nor more than seven years.

SEC. 20. It shall be unlawful for any person, directly or indirectly, by himself or through any other person—

1. To receive, agree, or contract for, before or during an election, any money, gift, loan, or other valuable consideration, office, place, or employment, for himself or any other person, for voting or agreeing to vote, or for coming or agreeing to come to the polls, or for refraining or agreeing to refrain from voting, or for voting or agreeing to vote, or refraining or agreeing to refrain from voting, for any particular person or persons at any election.

* * * * *

Every person who commits any of the offenses mentioned in this section is punishable, upon conviction, by imprisonment in the State prison for not less than one nor more than seven years.

SEC. 41. It shall be unlawful for any person, directly or indirectly, by himself or any other person in his behalf, to make use of, or threaten to make use of, any force, violence, or restraint, or to inflict or threaten the infliction, by himself or through any other person, of any injury, damage, harm, or loss, or in any manner to practice intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting at any election, or to vote or to refrain from voting for any particular person or persons at any election, or on account of such person or persons at any election, or on account of such person having voted or refrained from voting at any election. And it shall be unlawful for any person, by abduction, duress, or any forcible or fraudulent device, or contrivance whatever, to impede, prevent, or otherwise interfere with the free exercise of the elective franchise by any voters; or to compel, induce, or prevail upon any voter either to give or refrain from giving his vote at any election, or to give or refrain from giving his vote for any particular person or persons at any election. It shall not be lawful for any employer, in paying his employes the salary or wages due them, to enclose their pay in "pay envelopes" upon which there is written or printed the name of any candidate or any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employes. Nor shall it be lawful for any employer,

within ninety days of an election, to put up or otherwise exhibit in his factory, workshop, or other establishment, or place where his workmen or employés may be working, any handbill or placard containing any threat, notice, or information, that in case any particular ticket of a political party, or organization, or candidate, shall be elected, work in his place or establishment will cease, in whole or in part, or his place or establishment will be closed up, or the salaries or wages of his workmen or his employés be reduced, or other threats, expressed or implied, intended or calculated to influence the political opinions or actions of his workmen or employés. This section shall apply to corporations as well as individuals, and any person or corporation violating the provisions of this section is guilty of a misdemeanor, and any corporation violating this section shall forfeit its charter.

Exemption from Execution, Etc.

(Constitution of California, Article XVII.)

SECTION 1. The Legislature shall protect, by law, from forced sale a certain portion of the homestead and other property of all heads of families.

Exemption from Execution, Etc.—Homesteads.

(Civil Code of California.)

Sec. 1240. The homestead is exempt from execution or forced sale, except as in this title provided.

Sec. 1241 (as amended by Chapter LXXI, Acts of 1887). The homestead is subject to execution or forced sale in satisfaction of judgments obtained:

1. Before the declaration of homestead was filed for record, and which constitute liens upon the premises.

2. On debts secured by mechanics', contractors', subcontractors', artisans', architects', builders', laborers' of every class, material-men's, or vendors' liens upon the premises.

3. On debts secured by mortgages on the premises, executed and acknowledged by husband and wife, or by an unmarried claimant.

4. On debts secured by mortgages on the premises, executed and recorded before the declaration of homestead was filed for record.

Exemption from Execution—Personal Property.

(Code of Civil Procedure of California.)

SEC. 690 (as amended by Chapter XIX, Acts of 1899, p. 19). The following property is exempt from execution, except as herein otherwise specially provided :

1. Chairs, tables, desks, and books, to the value of two hundred dollars, belonging to the judgment debtor ;

2. Necessary household, table, and kitchen furniture belonging to the judgment debtor, including one sewing-machine, stove, stovepipes, and furniture, wearing apparel, beds, bedding and bedsteads, hanging pictures, oil paintings and drawings drawn or painted by any member of the family, and family portraits and their necessary frames, provisions actually provided for individual or family use sufficient for three months, and three cows and their sucking calves, four hogs with their sucking pigs, and food for such cows and hogs for one month; also, one piano, one shotgun, and one rifle;

3. The farming utensils or implements of husbandry of the judgment debtor, not exceeding in value the sum of one thousand dollars; also, two oxen or two horses, or two mules, and their harness, one cart or wagon, and food for such oxen, horses, or mules, for one month; also, all seed, grain, or vegetables actually provided, reserved, or on hand for the purpose of planting or sowing at any time within the ensuing six months, not exceeding in value the sum of two hundred dollars; and seventy-five beehives, and one horse and vehicle belonging to any person who is maimed or crippled, and the same is necessary in his business ;

4. The tools or implements of a mechanic or artisan necessary to carry on his trade; the notarial seal, records, and office furniture of a notary public; the instruments and chest of a surgeon, physician, surveyor, or dentist, necessary to the exercise of their profession, with their professional libraries and necessary office furniture; the professional libraries of attorneys, judges, ministers of the gospel, editors, school teachers, and music teachers, and their necessary office furniture; also, the musical instruments of music teachers actually used by them in giving instructions, and all the indexes, abstracts, books, papers, maps, and office furniture of a searcher of records, necessary to be used in his profession; also, typewriters, or other mechanical contrivances employed for writing in type, actually used by the owner thereof for making his living; also, one bicycle, when the same is used by its owner for the purpose of carrying on his regular business, or when the same is used for the purpose of transporting the owner to and from his place of business ;

5. The cabin or dwelling of a miner, not exceeding in value the sum of five hundred dollars; also, his sluices, pipes, hose, windlass, derrick, cars, pumps, tools, implements, and appliances necessary for carrying

on any mining operations, not exceeding in value the aggregate sum of five hundred dollars; and two horses, mules, or oxen, with their harness, and food for such horses, mules, or oxen for one month, when necessary to be used in any whim, windlass, derrick, car, pump, or hoisting gear; and also his mining claim, actually worked by him, not exceeding in value the sum of one thousand dollars;

6. Two horses, two oxen, or two mules, and their harness, and one cart or wagon, one dray or truck, one coupé, one hack or carriage, for one or two horses, by the use of which a cartman, drayman, truckman, huckster, peddler, hackman, teamster, or other laborer habitually earns his living, and one horse, with vehicle and harness or other equipments, used by physician, surgeon, constable, or minister of the gospel, in the legitimate practice of his profession or business, with food for such oxen, horses, or mules, for one month;

7. One fishing boat and net, not exceeding the total value of five hundred dollars, the property of any fisherman, by the lawful use of which he earns a livelihood;

8. Poultry not exceeding in value twenty-five dollars;

9. Seamen's and sea-going fishermen's wages and earnings, not exceeding one hundred dollars;

10. The earnings of the judgment debtor for his personal services rendered at any time within thirty days next preceding the levy of execution or attachment, when it appears, by the debtor's affidavit or otherwise, that such earnings are necessary for the use of his family, residing in this State, supported in whole or in part by his labor; but where debts are incurred by any such person, or his wife or family, for the common necessaries of life, or have been incurred at a time when the debtor had no family, residing in this State, supported in whole or in part by his labor, the one half of such earnings above mentioned are nevertheless subject to execution, garnishment, or attachment to satisfy debts so incurred;

11. The shares held by a member of a homestead association duly incorporated, not exceeding in value one thousand dollars, if the person holding the shares is not the owner of a homestead under the laws of this State.

All the nautical instruments and wearing apparel of any master, officer, or seaman of any steamer or other vessel;

12. All moneys, benefits, privileges, or immunities accruing or in any manner growing out of any life insurance on the life of the debtor, if the annual premiums paid do not exceed five hundred dollars;

* * * * *

14. All arms, uniforms, and accouterments required by law to be kept by any person, and also one gun to be selected by the debtor;

* * * * *

No article, however, or species of property mentioned in this section,

is exempt from execution issued upon a judgment recovered for its price, or upon a judgment of foreclosure of a mortgage thereon.

License Tax on Business.

(County Government Act, Chapter CCLXXVII, Section 25, Stats. of Cal. 1897, p. 452.)

SUBDIVISION 25. To license, for purposes of regulation and revenue, all and every kind of business not prohibited by law, and transacted and carried on in such county, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license tax upon the same, and to provide for the collection of the same, by suit or otherwise; *provided*, that every honorably discharged soldier, sailor, or marine of the United States, who is unable to obtain a livelihood by manual labor, shall have the right to hawk, peddle, and vend any goods, wares, or merchandise, except spirituous, malt, vinous, or other intoxicating liquor, without payment of any license, tax, or fee whatsoever, whether municipal, county, or State; and the Board of Supervisors shall issue to such soldier, sailor, or marine, without cost, a license therefor. The board may provide that any such license shall cease upon the non-payment of such tax, and any person, firm, or corporation transacting or carrying on such business, without such license whenever prescribed, is guilty of a misdemeanor.

License Tax—Intelligence Office.

(Order 1589 of the Board of Supervisors of the City and County of San Francisco.)

SECTION 44. Each keeper of an intelligence office shall pay a license of sixteen dollars per quarter; *provided*, that no license shall be issued to any person to keep an intelligence office until consent shall have been first obtained by such person to carry on said business from the Board of Supervisors.

(Resolution No. 3640 (third series), Board of Supervisors of City and County of San Francisco.)

Resolved, That the following form of receipt required to be given by all employment offices in this city and county for moneys paid for assistance to obtain employment therein be and is hereby adopted by this Board, and any person or persons conducting the business of an employment office who shall fail, refuse, or neglect to use said form of receipt in the conduct of their business shall render themselves liable to a revocation of their license:

(Form of Receipt.)

Name of office

Address

Date

Name of person or persons to whom license was granted

Received from the sum of dollars, for which we agree to furnish correct information by which he shall be enabled to secure a situation as with, at street. Wages, \$.... per month.

Failing to do which, we promise to refund the said sum of \$..... on return of this receipt within two days, together with a written statement from the employer that the applicant could not get the situation. But the undersigned do not hold themselves responsible for any expenses incurred by the said should he fail to obtain the situation above stated unless the information given at this office upon which he acted and applied for said situation should have been found to have been incorrect.

Resolved, That the form of receipt for moneys paid for assistance to obtain employment outside this city and county, and identical with the foregoing is hereby adopted, except that for the words "two days" the words "ten days" are substituted, and the word "street" omitted.

JNO. A. RUSSELL, Clerk.

(Authority to issue licenses, see Stats. 1861, p. 412.)

Mechanics' Liens.

(Constitution of California, Article X.)

SEC. 15. Mechanics, material-men, artisans, and laborers of every class, shall have a lien upon the property upon which they have bestowed labor or furnished material, for the value of such labor done and material furnished; and the Legislature shall provide by law for the speedy and efficient enforcement of such liens.

Liens on Personal Property.

(Civil Code of California.)

SEC. 3051. Every person who, while lawfully in possession of an article of personal property, renders any service to the owner thereof, by labor or skill, employed for the protection, improvement, safekeeping, or carriage thereof, has a special lien thereon dependent on possession, for the compensation, if any, which is due to him from the owner for such service. * * *

SEC. 3052. A person who makes, alters, or repairs any article of personal property, at the request of the owner or legal possessor of the property, has a lien on the same for his reasonable charges for work done and materials furnished, and may retain possession of the same until the charges are paid. If not paid within two months after the

work is done, the person may proceed to sell the property at public auction, by giving ten days' public notice of the sale by advertising in some newspaper published in the county in which the work was done; or, if there be no newspaper published in the county, then by posting up notices of the sale in three of the most public places in the town where the work was done for ten days previous to the sale. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property; the remainder, if any, must be paid over to the owner thereof.

Seamen's Liens for Wages.

(Civil Code of California.)

SEC. 3056. The mate and seamen of a ship have a general lien, independent of possession, upon the ship and freightage, for their wages, which is superior to every other lien.

Liens on Vessels.

(Code of Civil Procedure of California.)

SEC. 813. All steamers, vessels, and boats are liable:

1. For services rendered on board at the request of, or on contract with, their respective owners, masters, agents, or consignees;

* * * * *

3. For work done or materials furnished in this State for their construction, repair, or equipment;

* * * * *

6. Demands for these several causes constitute liens upon all steamers, vessels, and boats, and have priority in their order herein enumerated, and have preference over all other demands; but such liens only continue in force for the period of one year from the time the cause of the action accrued.

SEC. 814. Actions for any of the causes specified in the preceding section must be brought against the owners by name, if known, but if not known, that fact shall be stated in the complaint and the defendant shall be designated as unknown owners. Other persons having a lien upon the vessel may be made defendants to the action, the nature and amount of such lien being stated in the complaint.

SEC. 815. The complaint must designate the steamer, vessel, or boat, by name, and must be verified by the oath of the plaintiff, or some one on his behalf.

SEC. 816. The summons and copy of the complaint must be served on the owners if they can be found; otherwise, they may be served on the master, mate, or person having charge of the steamer, vessel, or boat.

SEC. 817. The plaintiff, at the time of issuing the summons, or at any time afterward, may have the steamer, vessel, or boat, with its tackle, apparel, and furniture, attached as security for the satisfaction of any judgment that may be recovered in the action.

SEC. 818. The clerk of the court must issue a writ of attachment, on the application of the plaintiff, upon receiving a written undertaking on behalf of the plaintiff, executed by two or more sufficient sureties, to the effect that if the judgment be rendered in favor of the owner of the steamer, vessel, or boat, as the case may be, he will pay all costs and damages that may be awarded against him, and all damages that may be sustained by him from the attachment, not exceeding the sum specified in the undertaking, which shall in no case be less than five hundred dollars.

SEC. 819. The writ must be directed to the Sheriff of the county within which the steamer, vessel, or boat lies, and direct him to attach such steamer, vessel, or boat, with its tackle, apparel, and furniture, and keep the same in his custody until discharged in due course of law.

SEC. 820. The Sheriff to whom the writ is directed and delivered must execute it without delay, and must attach and keep in his custody the steamer, vessel, or boat named therein, with its tackle, apparel, and furniture, until discharged in due course of law; but the Sheriff is not authorized by any such writ to interfere with the discharge of any merchandise on board of such steamer, vessel, or boat, or with the removal of any trunks or other property of passengers, or of the captain, mate, seaman, steward, cook, or other persons employed on board.

SEC. 824. If the attachment be not discharged, and a judgment be recovered in the action in favor of the plaintiff, and an execution be issued thereon, the Sheriff must sell at public auction, after publication of notice of such sale for ten days, the steamer, vessel, or boat, with its tackle, apparel, and furniture, or such interest therein as may be necessary, and must apply the proceeds of the sale as follows:

1. When the action is brought for demands other than the wages of mariners, boatmen, and others employed in the service of the steamer, vessel, or boat sold, to the payment of the amount of such wages, as specified in the execution;

2. To the payment of the judgment and costs, including his fees;

3. He must pay any balance remaining to the owner, or to the master, agent, or consignee who may have appeared on behalf of the owner; or, if there be no appearance, then into court, subject to the claim of any party or parties legally entitled thereto.

SEC. 825. Any mariner, boatman, or other person employed in the service of the steamer, vessel, or boat attached, who may wish to assert his claim for wages against the same, the attachments being issued for other demands than such wages, may file an affidavit of his claim, setting forth the amount and the particular service rendered, with the

clerk of the court; and thereafter no attachment can be discharged upon filing an undertaking, unless the amount of such claim, or the amount determined as provided in the next section, be covered thereby, in addition to the other requirements; and any execution issued against such steamer, vessel, or boat, upon judgment recovered thereafter, must direct the application of the proceeds of any sale:

1. To the payment of the amount of such claims filed, or the amount determined, as provided in the next section, which amount the clerk must insert in the writ;

2. To the payment of the judgment and costs, and Sheriff's fees, and must direct the payment of any balance to the owner, master, or consignee, who may have appeared in the action; but if no appearance by them be made therein, it must direct a deposit of the balance in court.

Mechanics' Liens.

(Code of Civil Procedure of California.)

SEC. 1183 (as amended by Chapter XXXV, Acts of 1899, p. 33).
Mechanics, material-men, contractors, subcontractors, artisans, architects, machinists, builders, miners, and all persons and laborers of every class, performing labor upon or furnishing materials to be used in the construction, alteration, addition to, or repair, either in whole or in part, of any building, wharf, bridge, ditch, flume, aqueduct, well, tunnel, fence, machinery, railroad, wagon road, or other structure, shall have a lien upon the property upon which they have bestowed labor, or furnished materials, for the value of such labor done and materials furnished, whether at the instance of the owner or of any other person acting by his authority, or under him, as contractor or otherwise; and any person who performs labor in any mining claim or claims, has a lien upon the same, and the works owned and used by the owners for reducing the ores from such mining claim or claims, for the work or labor done, or materials furnished by each respectively, whether done or furnished at the instance of the owner of the building or other improvement, or his agent; and every contractor, subcontractor, architect, builder, or other person having charge of any mining, or of the construction, alteration, addition to, or repair, either in whole or in part, of any building or other improvement as aforesaid, shall be held to be the agent of the owner, for the purposes of this chapter. In case of a contract for the work, between the reputed owner and his contractor, the lien shall extend to the entire contract price, and such contract shall operate as a lien in favor of all persons, except the contractor, to the extent of the whole contract price; and after all such liens are satisfied, then as a lien for any balance of the contract price in favor of the contractor. All such contracts shall

be in writing when the amount agreed to be paid thereunder exceeds one thousand dollars, and shall be subscribed by the parties thereto, and the said contract, or a memorandum thereof, setting forth the names of all the parties to the contract, a description of the property to be affected thereby, together with a statement of the general character of the work to be done, the total amount to be paid thereunder, and the amounts of all partial payments, together with the times when such payments shall be due and payable, shall, before the work is commenced, be filed in the office of the County Recorder of the county, or city and county, where the property is situated, who shall receive one dollar for such filing; otherwise they shall be wholly void, and no recovery shall be had thereon by either party thereto; and in such case, the labor done and materials furnished by all persons aforesaid, except the contractor, shall be deemed to have been done and furnished at the personal instance of the owner, and they shall have a lien for the value thereof.

SEC. 1184 (as amended by Chapter CXXXVII, Acts of 1887). No part of the contract price shall, by the terms of any such contract, be made payable, nor shall the same nor any part thereof be paid in advance of the commencement of the work, but the contract price shall, by the terms of the contract, be made payable in installments at specified times after the commencement of the work, or on the completion of specified portions of the work, or on completion of the whole work; *provided*, that at least twenty-five per cent of the whole contract price shall be made payable at least thirty-five days after the final completion of the contract. No payment made prior to the time when the same is due, under the terms and conditions of the contract, shall be valid for the purpose of defeating, diminishing, or discharging any lien in favor of any person, except the contractor, but as to such liens, such payment shall be deemed as if not made, and shall be applicable to such liens, notwithstanding that the contractor to whom it was paid may thereafter abandon his contract, or be or become indebted to the reputed owner in any amount, for damages or otherwise, for non-performance of his contract or otherwise. As to all liens, except that of the contractor, the whole contract price shall be payable in money, and shall not be diminished by any prior or subsequent indebtedness, offset, or counterclaim, in favor of the reputed owner and against the contractor; no alteration of any such contract shall affect any lien acquired under the provisions of this chapter. In case such contracts and alterations thereof do not conform substantially to the provisions of this section, the labor done and materials furnished, by all persons except the contractor, shall be deemed to have been done and furnished at the personal instance and request of the person who contracted with the contractor, and they shall have a lien for the value thereof. Any of the persons mentioned in section eleven hundred and eighty-three,

except the contractor, may at any time give to the reputed owner a written notice that they have performed labor or furnished materials, or both, to the contractor, or other person acting by the authority of the reputed owner, or that they have agreed to do so, stating in general terms the kind of labor and materials, and the name of the person to or for whom the same was done, or furnished, or both, and the amount in value, as near as may be, of that already done or furnished, or both, and of the whole agreed to be done or furnished, or both. Such notice may be given by delivering the same to the reputed owner personally, or by leaving it at his residence, or place of business, with some person in charge, or by delivering it to his architects, or by leaving it at their residence, or place of business, with some person in charge, or by posting it in a conspicuous place upon the mining claim or improvement. No such notice shall be invalid by reason of any defect of form; *provided*, it is sufficient to inform the reputed owner of the substantial matters herein provided for, or to put him upon inquiry as to such matters. Upon such notice being given, it shall be the duty of the person who contracted with the contractor to, and he shall, withhold from his contractor, or from any other person acting under such reputed owner, and to whom by said notice the said labor or materials, or both, have been furnished, or agreed to be furnished, sufficient money due, or that may become due, to such contractor, or other person, to answer such claim and any lien that may be filed therefor for record under this chapter, including counsel fees not exceeding one hundred dollars in each case, besides reasonable costs provided for in this chapter.

SEC. 1185. The land upon which any building, improvement, well, or structure is constructed, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien, if, at the commencement of the work, or of the furnishing of the materials for the same, the land belonged to the person who caused said building, improvement, well, or structure to be constructed, altered, or repaired, but if such person owned less than a fee simple estate in such land, then only his interest therein is subject to such lien.

SEC. 1186. The liens provided for in this chapter are preferred to any lien, mortgage, or other incumbrance which may have attached subsequent to the time when the building, improvement, or structure was commenced, work done, or materials were commenced to be furnished; also to any lien, mortgage, or other incumbrance of which the lienholder had no notice, and which was unrecorded at the time the building, improvement, or structure was commenced, work done, or the materials were commenced to be furnished.

SEC. 1187 (amendment approved March 27, 1897; Stats. 1897, p. 202.

This section was also amended in 1887; (Stats. 1887, p. 152.) * * * Every original contractor, at any time after the completion of his contract, and until the expiration of sixty days after the filing of said notice of completion or notice of cessation of labor by the owner, and every person, save the original contractor, claiming the benefit of this chapter at any time after the completion of any building, improvement, or structure, or of the alteration, addition to, or repair thereof, and until the expiration of thirty days after the filing of said notice of completion or cessation by said owner, or within thirty days after the performance of any labor in a mining claim, must file for record with the County Recorder of the county, or city and county, in which such property or some part thereof is situated, a claim containing a statement of his demand, after deducting all just credits and offsets, with the name of the owner or reputed owner, if known, and also the name of the person by whom he was employed, or to whom he furnished the materials, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien, sufficient for identification, which claim must be verified by the oath of himself or some other person; *provided, however*, that in any event all claims of lien must be filed within ninety days after the completion of said building, improvement, or structure, or the alteration, addition to, or repair thereof. Any trivial imperfection in the said work or in the construction of any building, improvement, or structure, or of the alteration, addition to, or repair thereof, shall not be deemed such a lack of completion as to prevent the filing of any lien; and in all cases the occupation or use of a building, improvement, or structure, by the owner or his representative, or the acceptance by said owner or his agent of said building, improvement, or structure, and cessation from labor for thirty days upon any contract or upon any building, improvement, or structure, or the alteration, addition to, or repair thereof, shall be deemed equivalent to a completion thereof for all the purposes of this chapter.

Sec. 1188. In every case in which one claim is filed against two or more buildings, mining claims, or other improvements owned by the same person, the person filing such claim must at the same time designate the amount due to him on each of such buildings, mining claims, or other improvements; otherwise, the lien of such claim is postponed to other liens. The lien of such claimant does not extend beyond the amount designated as against other creditors having liens, by judgment, mortgage, or otherwise, upon either of such buildings or other improvements, or upon the land upon which the same are situated.

Sec. 1189. The recorder must record the claim in a book kept by him for that purpose, which record must be indexed as deeds and other conveyances are required by law to be indexed, and for which he may

receive the same fees as are allowed by law for recording deeds and other instruments.

SEC. 1190. No lien provided for in this chapter binds any building, mining claim, improvement, or structure for a longer period than ninety days after the same has been filed, unless proceedings be commenced in a proper court within that time to enforce the same; or, if a credit be given, then ninety days after the expiration of such credit; but no lien continues in force for a longer time than two years from the time the work is completed, by any agreement to give credit.

SEC. 1191 (as amended by Chapter CXXXVII, Acts of 1887). Any person who, at the request of the reputed owner of any lot in any incorporated city or town, grades, fills in, or otherwise improves the same, or the street or sidewalk in front of or adjoining the same, or constructs any areas, or vaults, or cellars, or rooms, under said sidewalks, or makes any improvements in connection therewith, has a lien upon said lot for his work done and materials furnished.

SEC. 1192. Every building or other improvement mentioned in section eleven hundred and eighty-three of this Code, constructed upon any lands with the knowledge of the owner, or the persons having or claiming any interest therein, shall be held to have been constructed at the instance of such owner or person having or claiming any interest therein, and the interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this chapter, unless such owner or person having or claiming an interest therein shall, within three days after he shall have obtained knowledge of the construction, alteration, or repair, or the intended construction, alteration, or repair, give notice that he will not be responsible for the same, by posting a notice in writing to the effect, in some conspicuous place upon said land, or upon the building or other improvement situated thereon.

SEC. 1193. The contractor shall be entitled to recover upon a lien filed by him, only such amount as may be due to him according to the terms of his contract, after deducting all claims of other parties for work done and materials furnished, as aforesaid; and in all cases where a lien shall be filed, under this chapter, for work done or materials furnished to any contractor, he shall defend any action brought thereupon at his own expense; and during the pendency of such action, the owner may withhold from the contractor the amount of money for which lien is filed, and in case of judgment against the owner or his property, upon the lien, the said owner shall be entitled to deduct from any amount due or to become due by him to the contractor the amount of such judgment and costs, and if the amount of such judgment and costs shall exceed the amount due by him to the contractor, or if the owner shall have settled with the contractor in full, he shall be entitled to recover back from the contractor any amount so paid by him, the

said owner, in excess of the contract price, and for which the contractor was originally the party liable.

SEC. 1194. In every case in which different liens are asserted against any property, the court in the judgment must declare the rank of each lien, or class of liens, which shall be in the following order, viz:

1. All persons performing manual labor in, on, or about the same;
2. Persons furnishing materials;
3. Subcontractors;
4. Original contractors.

And the proceeds of the sale of the property must be applied to each lien or class of liens in the order of its rank; and whenever, in the sale of the property subject to the lien, there is a deficiency of proceeds, judgment may be docketed for the deficiency in like manner and with like effect as in actions for the foreclosure of mortgages.

SEC. 1195. Any number of persons claiming liens may join in the same action, and when separate actions are commenced, the court may consolidate them. The court must also allow, as a part of the costs, the money paid for filing and recording the lien, and reasonable attorney's fees in the Superior and Supreme Courts, such costs and attorney's fees to be allowed each lien claimant whose lien is established, whether he be plaintiff or defendant, or whether they all join in one action or separate actions are consolidated.

SEC. 1196. Whenever materials shall have been furnished for use in the construction, alteration, or repair of any building or other improvement, such materials shall not be subject to attachment, execution, or other legal process, to enforce any debt due by the purchaser of such materials, except a debt due for the purchase money thereof, so long as in good faith the same are about to be applied to the construction, alteration, or repair of such building, mining claim, or other improvement.

SEC. 1197. Nothing contained in this chapter shall be construed to impair or affect the right of any person to whom any debt may be due for work done, or materials furnished, to maintain a personal action to recover such debt against the person liable therefor.

SEC. 1200. In case the contractor shall fail to perform his contract in full, or shall abandon the same before completion, the portion of the contract price applicable to the liens of other persons than the contractor shall be fixed as follows: From the value of the work and materials already done and furnished at the time of such failure or abandonment, including materials then actually delivered or on the ground, which shall thereupon belong to the owner, estimated as near as may be by the standard of the whole contract price, shall be deducted the payments then due and actually paid, according to the terms of the contract and the provisions of sections eleven hundred and

eighty-three and eleven hundred and eighty-four, and the remainder shall be deemed the portion of the contract price applicable to such liens.

SEC. 1201. It shall not be competent for the owner and contractor, or either of them, by any term of their contract, or otherwise, to waive, affect, or impair the claims and liens of other persons, whether with or without notice, except by their written consent, and any term of the contract to that effect shall be null and void.

SEC. 1202. Any person who shall willfully give a false notice of his claim to the owner, under the provisions of section eleven hundred and eighty-four, shall forfeit his lien. Any person who shall willfully include in his claim, filed under section eleven hundred and eighty-seven, work or materials not performed upon or furnished for the property described in the claim, shall forfeit his lien. If the owner and his contractor shall directly or indirectly conspire to or agree that the written contract filed shall appear to show the contract price to be less than it really is, and it shall accordingly so show, then such contract shall be wholly void, and no recovery shall be had thereon by either party thereto, and in such case the labor done and materials furnished by all persons, except the contractor, shall be deemed to have been done and furnished at the personal instance of the owner, and they shall have a lien for the value thereof.

SEC. 1203 (as amended by Chapter CLXXI, Acts of 1893). Every contract required to be filed under the provisions of this chapter shall be accompanied by a good and sufficient bond in an amount equal to at least twenty-five per cent of the contract price, which said bond shall be filed at the same time and in the same manner as herein provided for the filing of such contract, or memorandum thereof. Said bond shall, by its terms, be made to inure to the benefit of any and all persons who perform labor for, or furnish materials to the contractor, or any person acting for him, or by his authority; and any such person shall have an action to recover upon said bond, against the principal and sureties, or either of them, for the value of such labor or materials, or both, not exceeding the amount of the bond; but such action shall not affect his lien, nor any action to foreclose the same, except that there shall be but one satisfaction of his claim, with costs and counsel fees. Any failure to comply with the provision of this section shall render the owner and contractor jointly and severally liable in damages to any and all material-men, laborers, and subcontractors entitled to liens upon the property affected by said contract.

Wages Preferred—In Assignments, Administration, Etc.

(Code of Civil Procedure of California.)

SEC. 1204 (as amended by Chapter LXXXII, Acts of 1893). In all assignments of property made by any person to trustees or assignees, on account of the inability of the person, at the time of the assignment, to pay his debts, or in proceedings in insolvency, the wages and salaries of miners, mechanics, salesmen, servants, clerks, laborers employed by such person, or any other person who renders services or performs work to the amount of one hundred dollars each, and for services rendered within sixty days previously, are preferred claims, and must be paid by such trustees or assignees before any other creditor or creditors of the assignor.

SEC. 1205 (as amended by Chapter LXXXI, Acts of 1893). In case of the death of any employer, the wages of each miner, mechanic, salesman, clerk, servant, laborer, or any other person who renders services or performs work, for services rendered within the sixty days next preceding the death of the employer, not exceeding one hundred dollars, rank in priority next after the funeral expenses, the expenses of the last sickness, the charges and expenses of administering upon the estate, and the allowance to the widow and infant children, and must be paid before other claims against the estate of the deceased person.

Wages Preferred—In Executions, Attachments, Etc.

(Code of Civil Procedure of California.)

SEC. 1206 (as amended by Chapter LXXVII, Acts of 1893). In cases of executions, attachments, and writs of similar nature, issued against any person except for claims for labor done, any miners, mechanics, salesmen, servants, clerks, and laborers, or any person who renders services or performs work, who have claims against the defendant for labor done or work performed may give notice of their claims, and the amount thereof sworn to by the person making the claim, to the creditor and the officer executing either of such writs, at any time before the actual sale of property levied upon, or in the event of a levy upon money at any time before the transfer of such money under execution; and, unless such claim is disputed by the debtor or a creditor such officer must pay to such person, out of the proceeds of the sale, or in the event of a levy on money, out of such money, the amount each is entitled to receive for services rendered within the sixty days next preceding the levy of the writ, not exceeding one hundred dollars. If any or all of the claims so presented and claiming preference under this section are disputed by either the debtor or a creditor, the person

presenting the same must commence an action within ten days for the recovery thereof and must prosecute his action with due diligence or be forever barred from any claim or priority of payment thereof; and the officer shall retain possession of so much of the proceeds of the sale or money as may be necessary to satisfy such claim until the determination of such action; and in case judgment be had for the claim, or any part thereof, carrying costs, the costs taxable therein shall likewise be a preferred claim with the same rank as the original claim.

SEC. 1207 (new section, Stats. 1883, p. 47). The debtor or creditor intending to dispute a claim presented under the provisions of the last section shall, within ten days after receiving notice of such claim, serve upon the claimant and the officer executing the writ a statement in writing, verified by the oath of the debtor or the person disputing such claim, setting forth that no part of said claim, or not exceeding a sum specified, is justly due from the debtor to the claimant for services rendered within the sixty days next preceding the levy of the writ. If the claimant brings suit on a claim which is disputed in part only and fail to recover a sum exceeding that which was admitted to be due, he shall not recover costs, but costs shall be adjudged against him.

Liens of Artisans, Mechanics, and Others, upon Personal Property, for Services Rendered in Connection with Such Property.

(Civil Code of California.)

SEC. 3051 (as amended by Act of 1877-8, p. 89). Every person who, while lawfully in possession of an article of personal property, renders any service to the owner thereof by labor or skill employed for the protection, improvement, safekeeping, or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due to him from the owner for such service. And livery or boarding or feed stable proprietors and persons pasturing horses or stock have a lien dependent on possession for their compensation in caring for, boarding, feeding, or pasturing such horses or stock.

SEC. 3052. A person who makes, alters, or repairs any article of personal property, at the request of the owner, or legal possessor of the property, has a lien on the same for his reasonable charges for work done and materials furnished, and may retain possession of the same until the charges are paid. If not paid within two months after the work is done, the person may proceed to sell the property at public auction, by giving ten days' public notice of the sale by advertising in some newspaper published in the county in which the work was done; or, if there be no newspaper published in the county, then by posting up notices of the sale in three of the most public places in the town

where the work was done, for ten days previous to the sale. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property; the remainder, if any, must be paid over to the owner thereof.

Laborers' Liens on Logs, Etc.

(Stats. of Cal. 1877-8, p. 747. Act approved March 30, 1878.)

SECTION 1 (as amended Stats. of Cal. 1880, p. 38). A person who labors at cutting, hauling, rafting, or driving logs or lumber, or who performs any labor in or about a logging camp necessary for the getting out or transportation of logs or lumber, shall have a lien thereon for the amount due for his personal services, which shall take precedence of all other claims, to continue for thirty days after the logs or lumber arrive at the place of destination, for sale or manufacture, except as hereinafter provided.

SEC. 2. The lien hereby created shall cease and determine unless the claimant thereof shall within twenty days from the time such labor shall have been completed, file and record in the office of County Recorder of the county where such labor was performed a verified claim, containing a statement:

1. Of his demand, after deducting all just credits and offsets;
2. The time within which such labor was done;
3. The name of the person or persons for which the same was done;
4. The place where the logs or timber upon which such lien is claimed are believed to be situated, and the marks upon the same;
5. The reputed owner thereof; and,
6. The reputed owner of the land from which the same were cut and hauled.

SEC. 3 (as amended Stats. of Cal. 1880, p. 38). All liens hereby provided for shall cease and determine unless suit to foreclose the same shall be commenced in the proper court within twenty-five days from the time the same are filed.

SEC. 4. The plaintiff in any such suit, at the time of issuing the summons, or at any time afterward, may have the logs or timber upon which such lien subsists attached, as further security for the payment of any judgment he may recover, unless defendant give him good and sufficient security to pay such judgment, in which event such logs shall be forthwith discharged by the Sheriff from such attachment, and from the lien hereby created.

SEC. 5. The clerk of the court must issue the writ of attachment upon receiving an affidavit by or on behalf of the plaintiff, showing:

1. That the defendant is indebted to the plaintiff upon a demand for

labor, for which his claim has been duly filed in accordance with section two of this Act;

2. That the sum for which the attachment is asked is an actual bona fide existing debt, due and owing from the defendant to the plaintiff, and that the attachment is not sought, and the action is not prosecuted, to hinder, delay, or defraud any creditor or creditors of the defendant.

SEC. 6. The writ must be directed to the Sheriff of the county, and must require him to attach and safely keep the logs and timber specified in such lien, or so much thereof as may be sufficient to satisfy plaintiff's demand, unless the defendant give good and sufficient security, as provided in this Act, in which case, to take such security and discharge any attachment he may have made, and to deliver up such logs to the defendant, who shall receive the same free from the lien upon which suit is brought.

SEC. 7 (as amended Stats. of Cal. 1887, p. 53). Sections five hundred and thirty-nine, eleven hundred and eighty-nine, eleven hundred and ninety-one, eleven hundred and ninety-seven, eleven hundred and ninety-eight, and eleven hundred and ninety-nine, of the Code of Civil Procedure, are hereby made applicable to this Act.

SEC. 8. Such attachment shall be made by taking such logs into possession, and the Sheriff shall make an inventory and return of his proceedings as directed in Chapter IV, Title VII, of the Code of Civil Procedure.

SEC. 9. The lien provided for by this Act shall in no case extend beyond the limits of the county in which the logs or timber in controversy were cut.

Laborers' Liens on Threshing-Machines.

(Stats. of Cal. 1885, p. 109. Act approved March 12, 1885.)

SECTION 1. Every person performing work or labor of any kind in, with, about, or upon any threshing-machine, the engine, horse-power, wagons, or appurtenances thereof, while engaged in threshing, shall have a lien upon the same to the extent of the value of his services.

SEC. 2. The lien herein given shall extend for ten days after the person has ceased such work or labor.

SEC. 3. If judgment shall be recovered in any action to recover for said services for work or labor performed, and said property shall be sold, the proceeds of such sale shall be distributed pro rata to all judgment creditors who have, within ten days, begun suits to recover judgments for the amount due them for such work.

SEC. 4. The liens shall expire unless a suit to recover the amount of the claim is brought within ten days after the party ceases work.

Mine Regulations.

(Stats. of Cal. 1871-2, p. 413. Act of March 13, 1872.)

SECTION 1. It shall not be lawful for any corporation, association, vner, or owners, of any quartz mining claims within the State of alifornia where such corporation, association, owner, or owners employ velve men daily, to sink down into such mine or mines any perpen- ular shaft or incline beyond a depth from the surface of three hun- red feet without providing a second mode of egress from such mine, by haft or tunnel, to connect with the main shaft at a depth of not less han one hundred feet from the surface.

SEC. 2. It shall be the duty of each corporation, association, owner, or owners of any quartz mine or mines in this State, where it becomes necessary to work such mines beyond the depth of three hundred feet, and where the number of men employed therein shall be twelve or more, to proceed to sink another shaft or construct a tunnel so as to connect with the main working shaft of such mine as a mode of escape from underground accidents or otherwise. And all corporations, asso- ciations, owner, or owners of mines as aforesaid, working at a greater depth than three hundred feet, not having any other mode of egress than from the main shaft, shall proceed as herein provided.

SEC. 3. When any corporation, association, owner, or owners of any quartz mine in this State shall fail to provide for the proper egress as herein contemplated, and where any accidents shall occur or any miner working therein shall be hurt or injured, and from such injury might have escaped if the second mode of egress had existed, such corpora- tion, association, owner, or owners of the mine where the injury shall have occurred shall be liable to the person injured in all damages that may accrue by reason thereof; and an action at law in a court of com- petent jurisdiction may be maintained against the owner or owners of such mine, which owners shall be jointly or severally liable for such damages. And where death shall ensue from injuries received from any negligence on the part of the owners thereof, by reason of their failure to comply with any of the provisions of this Act, the heirs or relatives surviving the deceased may commence an action for the recovery of such damages. * * *

(Stats. of Cal. 1873-4, p. 726. Act of March 27, 1874.)

SECTION 1. The owner or agent of every coal mine shall make or cause to be made an accurate map or plan of the workings of such coal mine, on a scale of one hundred feet to the inch.

SEC. 2. A true copy of which map or plan shall be kept at the office of the owner or owners of the mine, open to the inspection of all per- sons, and one copy of such map or plan shall be kept at the mine by

the agent or other person having charge of the mine, open to the inspection of the workmen.

SEC. 3. The owner or agent of every coal mine shall provide at least two shafts, or slopes, or outlets, separated by a natural strata of not less than one hundred and fifty feet in breadth, by which shafts, slopes, or outlets distinct means of ingress and egress are always available to the persons employed in the coal mines; *provided*, that if a new tunnel, slope, or shaft will be required for the additional opening, work upon the same shall commence immediately after the passage of this Act, and continue until its final completion, with reasonable dispatch.

SEC. 4. The owner or agent of every coal mine shall provide and establish for every such mine an adequate amount of ventilation, of not less than fifty-five cubic feet per second of pure air, or thirty-three hundred feet per minute, for every fifty men at work in such mine, and as much as circumstances may require, which shall be circulated through to the face of each and every working place throughout the entire mine, to dilute and render harmless and expel therefrom the noxious, poisonous gases to such an extent that the entire mine shall be in a fit state for men to work therein, and be free from danger to the health and lives of the men by reason of said noxious and poisonous gases, and all workings shall be kept clear of standing gas.

SEC. 5. To secure the ventilation of every coal mine, and provide for the health and safety of the men employed therein, otherwise and in every respect, the owner, or agent, as the case may be, in charge of every coal mine, shall employ a competent and practical inside overseer, who shall keep a careful watch over the ventilating apparatus, over the air-ways, the traveling-ways, the pumps and sumps, the timbering, to see as the miners advance in their excavations that all loose coal, slate, or rock overhead is carefully secured against falling; over the arrangements for signaling from the bottom to the top, and from the top to the bottom of the shaft or slope, and all things connected with and appertaining to the safety of the men at work in the mine. He, or his assistants, shall examine carefully the workings of all mines generating explosive gases, every morning before the miners enter, and shall ascertain that the mine is free from danger, and the workmen shall not enter the mine until such examination has been made and reported, and the cause of danger, if any, be removed.

SEC. 6. The overseer shall see that the hoisting machinery is kept constantly in repair and ready for use, to hoist the workmen in and out of the mine.

SEC. 7. The word "owner" in this Act shall apply to lessee as well.

SEC. 8. For any injury to person or property occasioned by any violation of this Act, or any willful failure to comply with its provisions, a right of action shall accrue to the party injured for any

direct damages he or she may have sustained thereby, before any court of competent jurisdiction.

SEC. 9. For any willful failure or negligence on the part of the overseer of any coal mine, he shall be liable to conviction of misdemeanor, and punished according to law; *provided*, that if such willful failure or negligence is the cause of the death of any person, the overseer, upon conviction, shall be deemed guilty of manslaughter.

SEC. 10. All boilers used for generating steam in and about coal mines shall be kept in good order, and the owner or agent thereof shall have them examined and inspected by a competent boilermaker, as often as once in three months.

SEC. 11. This Act shall not apply to opening a new coal mine.

Hospital for Miners.

(Stats. of Cal. 1881, p. 81. Act of March 14, 1881.)

SECTION 1. There shall be erected, as soon as conveniently may be, upon some suitable site, * * * a public hospital and asylum for the reception, care, medical and surgical treatment, and relief of the sick, injured, disabled, and aged miners, which shall be known as the "California State Miners' Hospital and Asylum."

* * * * *

SEC. 5. Indigent miners shall be charged for medical attendance, surgical operations, board, and nursing while residents in the hospital and asylum, no more than the actual cost; paying patients whose friends can pay their expenses, and who are not chargeable upon townships and counties, shall pay according to the terms directed by the trustees.

SEC. 6. The several Boards of Supervisors of counties, or any constituted authority in the State having care and charge of any indigent sick or aged person or persons, if satisfactorily proven by them to have been miners, shall have authority to send to the California State Miners' Hospital and Asylum such persons, and they shall be severally chargeable with the expenses of the care, maintenance and treatment, and removal to and from the hospital and asylum of such patients.

Protection of Miners—Mine Bell Signals.

(Stats. of Cal. 1893, p. 82.)

SECTION 1. Every person, company, corporation, or individual, operating any mine within the State of California—gold, silver, copper, lead, coal, or any other metal or substance where it is necessary to use

signals by means of bells or otherwise, for shafts, inclines, drifts, cross-cuts, tunnels, and underground workings—shall, after the passage of this bill, adopt, use, and put in force the following system or code of mine bell signals, as follows:

- 1 bell, to hoist. (See rule 2.)
- 1 bell, to stop if in motion.
- 2 bells, to lower. (See rule 2.)
- 3 bells, man to be hoisted; run slow. (See rule 2.)
- 4 bells, start pump if not running, or stop pump if running.
- 1—3 bells, start or stop air-compressor.
- 5 bells, send down tools. (See rule 4.)
- 6 bells, send down timbers. (See rule 4.)
- 7 bells, accident; move bucket or cage by verbal orders only.
- 1—4 bells, foreman wanted.
- 2—1—1 bells, done hoisting until called.
- 2—1—2 bells, done hoisting for the day.
- 2—2—2 bells, change buckets from ore to water, or *vice versa*.
- 3—2—1 bells, ready to shoot in the shaft. (See rule 3.)

Engineer's signal, that he is ready to hoist, is to raise the bucket or cage two feet and lower it again. (See rule 3.)

Levels shall be designated and inserted in notice hereinafter mentioned. (See rule 5.)

SEC. 2. For the purpose of enforcing and properly understanding the above code of signals, the following rules are hereby established:

Rule 1. In giving signals make strokes on bell at regular intervals. The bar (—) must take the same time as for one stroke of the bell and no more. If timber, tools, the foreman, bucket, or cage, are wanted to stop at any level in the mine, signal, by number of strokes on the bell, the number of the level first before giving the signal for timber, tools, etc. Time between signals to be double bars (— —).

Examples:

- 6— —5, would mean stop at sixth level with tools.
- 4— —1—1—1— —1, would mean to stop at fourth level, man on, hoist.
- 2— —1—4, would mean stop at second level with foreman.

Rule 2. No person must get off or on the bucket or cage while the same is in motion. When men are to be hoisted, give the signal for men. Men must then get on bucket or cage, then give the signal to hoist. Bell cord must be in reach of man on the bucket or cage at station.

Rule 3. After signal "ready to shoot in shaft," engineer must give his signal when he is ready to hoist. Miners must then give the signal of "men to be hoisted," then "spit fuse," get into the bucket, and give the signal to hoist.

Rule 4. All timbers, tools, etc., "longer than the depth of the bucket," to be hoisted or lowered, must be securely lashed at the upper end to the cable. Miners must know they will ride up or down the shaft without catching on rocks or timbers and be thrown out.

Rule 5. The foreman will see that one printed sheet of these signals and rules for each level and for the engine-room are attached to a board not less than twelve inches wide by thirty-six inches long, and securely fasten the board up where signals can be easily read at the places above stated.

Rule 6. The above signals and rules must be obeyed. Any violation will be sufficient grounds for discharging the party or parties so doing. No person, company, corporation, or individuals operating any mine within the State of California, shall be responsible for accidents that may happen to men disobeying the above rules and signals. Said notice and rules shall be signed by the person or superintendent having charge of the mine, who shall designate the name of the corporation or the owner of the mine.

SEC. 3. Any person or company failing to carry out any of the provisions of this Act shall be responsible for all damages arising to or incurred by any person working in said mine during the time of such failure.

Certain Employments of Children Forbidden.

(Stats. of Cal. 1877-8, p. 813. Act of March 30, 1878.)

SECTION 1. Any person, whether as a parent, relative, guardian, employer, or otherwise, having the care, custody, or control of any child under the age of sixteen years, who shall exhibit, use, or employ, or who shall in any manner or under any pretense sell, apprentice, give away, let out, or otherwise dispose of any such child to any person, under any name, title, or pretense, in or for the vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, acrobat, contortionist, or rider, in any place whatsoever, or for or in any obscene, indecent, or immoral purpose, exhibition, or practice whatsoever, or for or in any mendicant or wandering business whatsoever, or for or in any business, exhibition, or vocation injurious to the health or dangerous to the life or limb of such child, or who shall cause, procure, or encourage any such child to engage therein, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty nor more than two hundred and fifty dollars, or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment; *provided*, that nothing in this section contained shall apply to or affect the employment or use of any such child as a singer or mu-

sician in any church, school, or academy, or the teaching or learning of the science or practice of music; or the employment of any such child as a musician at any concert or other musical entertainment, on the written consent of the mayor of the city or the president of the board of trustees of the town where such concert or entertainment shall take place.

SEC. 2. Every person who shall take, receive, hire, employ, use, exhibit, or have in custody any child under the age and for any of the purposes mentioned in the preceding section shall be guilty of a like offense and punished by a like punishment as therein provided.

Hiring Out Minor Employes Unlawful in Certain Cases.

(Penal Code of California.)

SEC. 1389 (added by Chapter CIII, Acts of 1887). No minors in the employ of any telephone company, special delivery company, or association, or any other corporation, or person or persons, engaged in the delivery of packages, letters, notes, messages, or other matter, shall be assigned by such corporations, or person or persons, to hire such minors to the keepers of houses, variety theaters, or other places of questionable repute, or to other persons connected with such places of questionable repute, nor to permit them to enter such places of illegal or questionable calling. * * * This law shall apply alike to managers, superintendents, and agents of such corporations, and to be enforced against them. Any person violating the provisions of this Act shall be guilty of a misdemeanor.

Hours of Labor—Children.

(Penal Code of California.)

SEC. 651. Every person having a minor child under his control either as a ward or as an apprentice, who, except in vinicultural or horticultural pursuits, or in domestic or household occupations, requires such child to labor more than eight hours in any one day, is guilty of a misdemeanor.

Employment, Hours of Labor, etc., of Children.

(Stats. of Cal. 1889, p. 4.)

SECTION 1. No minor under the age of eighteen shall be employed in laboring in any manufacturing, mechanical, or mercantile establishment, or other place of labor, more than ten hours in one day, except when it is necessary to make repairs to prevent the interruption of the

ordinary running of the machinery, or when a different apportionment of the hours of labor is made for the sole purpose of making a shorter day's work for one day of the week; and in no case shall the hours of labor exceed sixty hours in a week.

SEC. 2. No child under ten years of age shall be employed in any factory, workshop, or mercantile establishment; and every minor under sixteen years of age when so employed shall be recorded by name in a book kept for the purpose, and a certificate (duly verified by his or her parent or guardian, or if the minor shall have no parent or guardian, then by such minor, stating age and place of birth of such minor), shall be kept on file by the employer, which book and which certificate shall be produced by him or his agent at the requirement of the Commissioner of the Bureau of Labor Statistics.

SEC. 3. Every person or corporation employing minors under sixteen years of age in any manufacturing establishment, shall post and keep posted in a conspicuous place in every room where such help is employed, a printed notice stating the number of hours per day for each day of the week required of such persons, and in every room where minors under sixteen years of age are employed, a list of their names, with their ages.

SEC. 4. Any person or corporation that knowingly violates or omits to comply with any of the foregoing provisions of this Act, or who knowingly employs or suffers or permits any minor to be employed, in violation thereof, shall, on conviction, be punished by a fine of not less than fifty nor more than two hundred (200) dollars for each and every offense.

SEC. 5. It shall be the duty of the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this Act.

Wages of Minors—To Whom Payable.

(Civil Code of California.)

SEC. 212. The wages of a minor employed in service may be paid to him until the parent or guardian entitled thereto gives the employer notice that he claims such wages.

Registration, etc., of Plumbers.

(Stats. of Cal. 1883, p. 366.)

SECTION 1. Every master or journeyman plumber carrying on his trade shall, under such rules and regulations as the Board of Health of such county, or city and county, shall prescribe, register his name and

address at the health office of such county, or city and county; and after the said date it shall not be lawful for any person to carry on the trade of plumbing in any county, or city and county, unless his name and address is registered as above provided.

SEC. 2. A list of the registered plumbers shall be published in the yearly report of the health office.

(Stats. of Cal. 1887, p. 58. Act approved March 3, 1885.)

SECTION 1 (as amended by Chapter L, Acts of 1887). It shall not be lawful for any person to carry on business, or labor as a master or journeyman plumber in any incorporated city, or in any city and county in this State, until he shall have obtained from the board of health of said city, or city and county, a license authorizing him to carry on business, or labor as such mechanic. A license so to do shall be issued only after a satisfactory examination by the board of each applicant upon his qualifications to conduct such business or to so labor. All applications for license, and all licenses issued, shall state the name in full, age, nativity, and place of residence of the applicant or person so licensed. It shall be the duty of the secretary of each board of health to keep a record of all such licenses issued, together with an alphabetical index to the same.

SEC. 2 (as amended by Chapter L, Acts of 1887). A list of all licensed plumbers shall be published in the yearly report of the health officer of the board of health.*

Contract Work on Public Buildings Prohibited.

(Political Code of California.)

Sec. 3233. All work done upon the public buildings of this State must be done under the supervision of a superintendent, or State officer or officers having charge of the work, and all labor employed on such buildings, whether skilled or unskilled, must be employed by the day, and no work upon any of such buildings must be done by contract.

Hours of Labor on Public Work.

(Constitution of California, Article XX.)

SEC. 17. Eight hours shall constitute a legal day's work on all public work.

(Political Code of California.)

SEC. 3245. Eight hours' labor constitute a legal day's work in all cases where the same is performed under the authority of any law of

*See *Pasadena vs. Stimpson*, 91 Cal. 328.

this State, or under the direction, control, or by the authority of any officer of this State acting in his official capacity, or under the direction, control, or by the authority of any municipal corporation within this State, or of any officer thereof acting as such; and a stipulation to that effect must be made a part of all contracts to which the State or any municipal corporation therein is a party.*

(Stats. of Cal. 1899, p. 149.)

SECTION 1. The time of service of all laborers, workmen, and mechanics employed upon any public works of, or work done for, the State of California, or for any political subdivision thereof, whether said work is done by contract or otherwise, is hereby limited and restricted to eight hours in any one calendar day; and it shall be unlawful for any officer of the State, or of any political subdivision thereof, or any person acting for or on behalf thereof, or any contractor or subcontractor, for any part of any public works of, or work done for such State, or political subdivision thereof, or any person, corporation, or association whose duty it shall be to employ or to direct and control the services of such laborers, workmen, or mechanics, or who has, in fact, the direction or control of the services of such laborers, workmen, or mechanics, to require or permit them, or any of them, to labor more than eight hours in any one calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life and property, or except to work upon public, military, or naval works or defenses in time of war.

SEC. 2. Each and every contract to which the State of California, or any political subdivision thereof, is a party, and every contract made for or on behalf of the said State or any political subdivision thereof, which contract may involve the employment of laborers, workmen, or mechanics, shall contain a stipulation that no laborer, workman, or mechanic in the employ of the contractor, or any subcontractor, doing or contracting to do any part of the work contemplated by the contract, shall be required or permitted to work more than eight hours in any one calendar day, except in cases of extraordinary emergency caused by fire, flood, or danger to life or property, or except to work upon public, military, or naval works or defenses in time of war; and each and every such contract shall stipulate a penalty for each violation of the stipulation directed by this Act of ten dollars for each laborer, workman, or mechanic, for each and every calendar day in which he shall labor more than eight hours; and the inspector or other officer or person whose duty it shall be to see that the provisions of any such contract are complied with, shall report to the proper officer of such State, or political subdivision thereof, all violations of the stipulation in this Act

*Held that contracts within the purview of the above cited section are not rendered invalid by failure to include therein the stipulation named. (*Babcock vs. Goodrich*, 47 Cal. 488.)

provided for in each and every such contract, and the amount of the penalties stipulated in any such contract shall be withheld by the officer or person whose duty it shall be to pay the moneys due under such contract, whether the violations for which said penalties were imposed were by the contractor, his agents or employes. No person on behalf of the State of California, or any political subdivision thereof, shall rebate or remit any penalty imposed under any stipulation herein provided for, unless upon a finding which he shall make up and certify that such penalty was imposed by reason of an error of fact. Nothing in this Act shall be construed to authorize the collection of said penalty from the State, or any political subdivision thereof.

Sec. 3. Any officer of the State of California, or any political subdivision thereof, or any person acting for or on behalf thereof, who shall violate the provisions of this Act, shall be deemed guilty of a misdemeanor, and be subject to a fine or imprisonment, or both, at the discretion of the court, the fine not to exceed five hundred dollars, nor the imprisonment one year.

Sec. 4. All Acts and parts of Acts inconsistent with this Act, in so far as they are inconsistent, are hereby repealed.

Sec. 5. This Act shall take effect and be in force from and after its passage.

Protection of Wages of Laborers on Public Works.

(Stats. of Cal. 1871-2, p. 961. Act of April 1, 1872.)

SECTION 1. Every person who employs laborers upon the public works, and who takes, keeps, or receives any part or portion of the wages due to such laborers from the State or municipal corporation for which such work is done, is guilty of a felony.

Minimum Rate of Compensation for Labor on Public Works.

(Stats. of Cal. 1897, p. 90.)

SECTION 1. The minimum compensation to be paid for labor upon all work performed under the direction, control, or by the authority of any officer of this State acting in his official capacity, or under the direction, control, or by the authority of any municipal corporation within this State, or of any officer thereof acting as such, is hereby fixed at two (2) dollars per day; and a stipulation to that effect must be made a part of all contracts to which the State, or any municipal corporation therein, is a party; *provided, however*, that this Act shall not apply to

persons employed regularly in any of the public institutions of the State, or any city, city and county, or county.

SEC. 2. This Act shall take effect immediately.*

**How Claims of Material-men, Mechanics, and Laborers, Employed
by Contractors upon State, Municipal, or Other Public
Work, Shall be Secured.**

(Stats. of Cal. 1897, p. 201.)

SECTION 1. Every contractor, person, company, or corporation, to whom is awarded a contract for the execution or performance of any building, excavating, or other mechanical work, for this State, or by any county, city and county, city, town, or district therein, shall, before entering upon the performance of such work, file with the commissioners, managers, trustees, officers, Board of Supervisors, Board of Trustees, Common Council, or other body by whom such contract was awarded, a good and sufficient bond, to be approved by such contracting body, officers, or board, in a sum not less than one half of the total amount payable by the terms of the contract; such bond shall be executed by the contractor, and at least two sureties, in an amount not less than the sum specified in the bond, and must provide that if the contractor, person, company, or corporation, fails to pay for any materials or supplies furnished for the performance of the work contracted to be done, or for any work or labor done thereon of any kind, that the sureties will pay the same, in an amount not exceeding the sum specified in the bond; *provided*, that such claims shall be filed as hereinafter required.

SEC. 2. Any material-man, person, company, or corporation, furnishing materials or supplies used in the performance of the work contracted to be executed or performed, or any person who performs work or labor upon the same, or any person who supplies both work and materials, and whose claim has not been paid by the contractor, company, or corporation, to whom the contract has been awarded, shall, within thirty days from the time such work is completed, file with the commissioners, managers, trustees, officers, Board of Supervisors, Board of Trustees, Common Council, or other body by whom such contract was awarded, the verified statement of such claims, together with a statement that the same has not been paid. At any time within ninety days after the filing of such claim, the person, company, or corporation filing the same may commence an action against the sureties on the bond, specified and required by section one hereof.

SEC. 3. This Act shall take effect immediately.

* Held that contracts within the purview of the above-cited Act relative to minimum wages per day to be paid for labor upon public work are not rendered invalid by failure to include therein the stipulation named. (*Babcock vs. Goodrich*, 47 Cal. 488.)

Securing Claims for Labor, etc., for Street and Sewer Work in Municipalities.

(Stats. of Cal. 1899, p. 23.)

SECTION 1. A new section, to be known as section six and one half of said Act, is hereby added thereto, and shall read as follows:

Section 6½. Every contractor, person, company, or corporation, including contracting owners, to whom is awarded any contract for street work under this Act, shall, before executing the said contract, file with the Superintendent of Streets a good and sufficient bond, approved by the Mayor, in a sum not less than one half of the total amount payable by the terms of said contract; such bond shall be executed by the principal and at least two sureties who shall qualify for double the sum specified in said bond, and shall be made to inure to the benefit of any and all persons, companies, or corporations who perform labor on, or furnish materials to be used in the said work of improvement, and shall provide that if the contractor, person, company, or corporation to whom said contract was awarded fails to pay for any materials so furnished for the said work of improvement, or for any work or labor done thereon of any kind, that the sureties will pay the same, to an amount not exceeding the sum specified in said bond. Any materialman, person, company, or corporation, furnishing material to be used in the performance of said work specified in said contract, or who performs work or labor upon the said improvement, whose claim has not been paid by the said contractor, company, or corporation, to whom the said contract was awarded, may, within thirty days from the time said improvement is completed, file with the Superintendent of Streets the verified statement of his or its claim, together with a statement that the same, or some part thereof, has not been paid. At any time within ninety days after the filing of such claim, the person, company, or corporation, filing the same, or their assigns, may commence an action on said bond for the recovery of the amount due on said claim, together with the costs incurred in said action, and a reasonable attorney fee, to be fixed by the court, for the prosecution thereof.

SEC. 2. This Act shall take effect and be in force from and after its passage.

Discharged Soldiers, Sailors, and Marines Preferred in Employment on Public Works.

(Stats. of Cal. 1891, p. 289.)

SECTION 1. In every department, upon all public works, whether under contract or not, in all offices, employments, places, and positions of trust or profit of this State, honorably discharged ex-Union soldiers, sailors, and marines of the War of the Rebellion must be preferred for

appointment, employment, and retention therein; and age, loss of limb, or other physical impairment, which does not, in fact, incapacitate, shall not be deemed to disqualify them; *provided*, they possess the capacity necessary to fill the position; and persons thus preferred, or appointed, unless appointed or employed for a definite statutory period, shall not be dismissed from such positions, offices, or employments, except upon charges, after a hearing, and for just cause.

Riots, Mobs, Etc.

(Penal Code of California.)

SEC. 731 (as amended by Chapter CLXX, Acts of 1895). Whenever any portion of the National Guard or enrolled militia shall have been called into active service to suppress an insurrection or rebellion, to disperse a mob, or to enforce the execution of the laws of the State or of the United States, the commanding officer shall use his own discretion with respect to the propriety of attacking or firing upon any mob or unlawful assembly; and his honest and reasonable judgment in the exercise of his duty shall be full protection, civilly and criminally, for any act or acts done while on duty. No officer who has been called out to sustain the civil authorities shall, under any pretense, or in compliance with any order, fire blank cartridges upon any mob or unlawful assemblage, under penalty of being cashiered by sentence of a court-martial.

Sex No Disqualification from Pursuing Labor.

(Constitution of California, Article XX.)

SEC. 18. No person shall, on account of sex, be disqualified from entering upon or pursuing any lawful business, vocation, or profession.

Sunday Labor—Bakers.

(Stats. of Cal. 1880, p. 80. Act of April 16, 1880.)

SECTION 1. It shall be unlawful for any person engaged in the business of baking to engage or permit others in his employ to engage in the labor of baking for the purpose of sale, between the hours of six P. M. on Saturday and six P. M. on Sunday, except in the setting of sponge preparatory to the night's work; *provided, however*, that restaurants, hotels, and boarding-houses may do such baking as is necessary for their own consumption.

SEC. 2. Any person violating the provisions of this Act shall be guilty

of a misdemeanor, and shall be punishable by imprisonment in the county jail not less than one month nor more than six months, or by a fine of not less than twenty-five nor more than two hundred dollars, or by both fine and imprisonment.^a

Sunday Labor—Barbers.

(Penal Code of California.)

SEC. 310½ (added by Chapter CC, Acts of 1895). Every person who, as proprietor, manager, lessee, employé, or agent, keeps open or conducts, or causes to be kept open or conducted, any barber shop, bathhouse and barber shop, barber shop of a bathing establishment, or hair-dressing establishment, or any place for shaving or hair-dressing, used or conducted in connection with any other place of business or resort, or who engages at work or labor as a barber in any such shop or establishment on Sunday, or on a legal holiday, after the hour of twelve o'clock M. of the said day, is guilty of a misdemeanor.^b

Day of Rest from Labor.

(Stats. of Cal. 1893, p. 54.)

SECTION 1. Every person employed in any occupation of labor shall be entitled to one day's rest therefrom in seven; and it shall be unlawful for any employer of labor to cause his employés, or any of them, to work more than six days in seven; *provided, however*, that the provisions of this section shall not apply to any case of emergency.

SEC. 2. For the purposes of this Act, the term day's rest shall mean and apply to all cases, whether the employé is engaged by the day, week, month, or year, and whether the work performed is done in the day or night time.

SEC. 3. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor.

Trademarks of Trade Unions, Etc.

(Political Code of California.)

SEC. 3200 (added by Chapter CL, Acts of 1887). Any trade union, labor association, or labor organization, organized and existing in this State, whether incorporated or not, may adopt and use a trademark and affix the same to any goods made, produced, or manufactured by the

^aThis Act was declared unconstitutional. (*Ex parte Westerfeld*, 55 Cal. 550.)

^bDeclared unconstitutional. (*Ex parte Jentsch*, 113 Cal., p. 468.)

members of such trade union, labor association, or labor organization, or to the box, cask, case, or package containing such goods, and may record such trademark by filing or causing to be filed with the Secretary of State its claim to the same, and a copy or description of such trademark, with the affidavit of the president of such trade union, labor association, or labor organization, certified to by any officer authorized to take acknowledgments of conveyance, setting forth that the trade union, labor association, or labor organization of which he is the president is the exclusive owner or agent of the owner of such trademark. * * *

SEC. 3201 (added by Chapter CL, Acts of 1887). The president or other presiding officer of any trade union, labor association, or labor organization, organized and existing in this State, which shall have complied with the provisions of the preceding section, is hereby authorized and empowered to commence and prosecute in his own name any action or proceedings he may deem necessary for the protection of any trademark adopted or in use under the provisions of the preceding section, or for the protection or enforcement of any rights or powers which may accrue to such trade union, labor association, or labor organization, by the use or adoption of said trademark.

Wages of Employes of State Printing Office.

(Political Code of California.)

SEC. 531 (as amended by Stats. of Cal. 1895, p. 233). The duties of the Superintendent of State Printing shall be as follows: * * * He shall employ such compositors, pressmen, and assistants as the exigency of the work from time to time requires, and may at any time discharge such employes; *provided*, that at no time shall he pay said compositors, pressmen, or assistants, a higher rate of wages than is paid by those employing printers in Sacramento for the like work. He shall at no time employ more compositors or assistants than the absolute necessities of the State printing may demand, and he shall not permit any other than State work to be done in the State Printing Office. * * *

Corporations Shall Have Monthly Paydays for Employes.

(Stats. of Cal. 1897, p. 231.)

SECTION 1. Every corporation doing business in this State shall pay, at least once a month, each and every employé employed by such corporation, in transacting or carrying on its business, or in the performance of labor for it, the wages earned by such employé during the preceding month; *provided, however*, that if at the time of payment any

employé shall be absent, or not engaged in his usual employment, he shall be entitled to said payment at any time thereafter upon demand.

SEC. 2. Any violation of any of the provisions of section one of this Act shall entitle each of the said employés to a lien on all the property of said corporation for the amount of their wages, which lien shall take preference over all other liens, except duly recorded mortgages or deeds of trust; and in any action to recover the amount of such wages, or to enforce said lien, the plaintiff shall be entitled to a reasonable attorney's fee, to be fixed by the court and which shall form part of the judgment in said action, and shall also be entitled to an attachment against said property. An unrecorded deed shall be no defense to such actions.

SEC. 3. That on the trial of any action against such corporation for a violation of the provisions of this Act, such corporation shall not be allowed to set up any defense for a failure to pay monthly any employé engaged in transacting or carrying on its business the wages earned by such employé during the preceding month, other than the fact that such wages were not earned, except a valid assignment of such wages, a set-off, or counter-claim against the same, or the absence of such employé from his usual employment at the time of the payment of the wages so earned by him.

SEC. 4. No assignment of future wages, payable monthly under the provisions of this Act, shall be made to the corporation from which such wages are or may become due, to any person, on behalf of such corporation, for the purpose of evading the provisions of this Act, and all such assignments are hereby declared to be invalid.

SEC. 5. No corporation shall require, and no employé of such corporation shall make, any agreement to accept wages at longer periods than as provided in this Act as a condition of employment.

SEC. 6. All wages earned by any employé engaged in the service of any corporation in this State shall be paid in lawful moneys of the United States, or in checks negotiable at face value on demand.

SEC. 7. Any corporation violating any of the provisions of this Act shall be subject to a fine not exceeding one hundred dollars, or less than fifty dollars, for each violation, the same to be imposed by any court in this State having jurisdiction of offenses in which the penalty does not exceed a fine of one hundred dollars; said fine to be paid, by the judge or magistrate before whom a recovery may be had under the provisions of this Act, into the general fund of the treasury of the county in which said conviction may be had.

SEC. 8. This Act shall take effect and be in force from and after the first day of April, 1897.*

* Held unconstitutional in *Johnson vs. Goodyear Mining Co.*, 127 Cal., p. 4.

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